United Nations CEDAW/C/BHR/4

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
11 October 2018
English
Original: Arabic
Arabic, English, French and Spanish only

Committee on the Elimination of Discrimination against Women

Fourth periodic report submitted by Bahrain under article 18 of the Convention, due in 2018*

[Date received: 1 March 2018]

* The present document is being issued without formal editing.

18-16959 (E) 091118 091118

Please recycle

Contents

		Page
I.	Introduction	3
II.	Overview	4
	A. General framework for the promotion and protection of human rights	5
	B. Situation of the rights and advancement of women	6
	C. International instruments relevant to the status of women	7
	D. Cooperation with the Committee and progress made	8
III.	Follow-up on the implementation of the substantive provisions of the Convention	9
	A. Introduction	9
	B. Dissemination of the Committee's concluding observations	9
	C. Effective cooperation between the Supreme Council for Women and the legislature with a view to implementing the Convention	9
	D. Recommendations of the Committee	10
IV.	Part I of the Convention: articles 1 to 6	11
	A. Definition of discrimination	11
	B. Commitment to eliminating discrimination in discriminatory laws	11
	C. National machinery for the advancement of women	12
	D. Temporary special measures	15
	E. Stereotypes	17
	F. Violence against women	19
	G. Trafficking and exploitation	24
V.	Part II of the Convention: articles 7 to 9	27
	A. Participation in political and public life	27
	B. Allegations of women human rights defenders	28
	C. Civil society and non-governmental organizations	30
	D. Nationality	31
VI.	Part III of the Convention: articles 10 to 16	34
	A. Education	34
	B. Employment	35
	C. Expatriate workers	37
	D. Health	39
	E. Marriage and family relations	40
	F. Economic consequences of divorce	42
	G. National human rights institution	43
VII.	Conclusion	43

I. Introduction

Summary of the third periodic report of the Kingdom of Bahrain

1. The Kingdom of Bahrain submitted its third periodic report under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/BHR/3) to the Committee on the Elimination of Discrimination against Women at the appointed time in July 2011. In addition, on 7 November 2013, it submitted its replies to the Committee's list of issues prior to reporting (respectively, CEDAW/C/BHR/Q/3/Add.1 and CEDAW/C/BHR/Q/3).

2. A delegation from Bahrain led by the Deputy President of the Supreme Council for Women appeared before the Committee on 11 February 2014 to present the report and illustrate the most significant developments and advances within the scope of the Convention that had taken place in Bahrain between the presentation of the third periodic report in July 2011 and the date of the meeting with the Committee (see CEDAW/C/SR.1187 and CEDAW/C/SR.1188 published on 17 February 2014).

3. In its concluding observations, the Committee commended the State party for its high-level delegation, which had included experts from relevant ministries, the parliament, the judicial authority and civil society organizations involved in the implementation of the provisions of the Convention. The Committee also expressed its appreciation for the constructive dialogue that had taken place with the delegation and for the manner in which that dialogue had been conducted. In addition, the Committee welcomed the progress achieved in Bahrain since the presentation of the third periodic report in July 2011 and the efforts made by the State to implement the Convention. Lastly, the Committee set a deadline of February 2018 for the submission of the fourth periodic report.

4. Furthermore, the Committee welcomed the advancements made since the consideration in 2008 of the State party's combined initial and second periodic reports, through legislative reforms and efforts to improve institutional and policy frameworks aimed at accelerating the elimination of discrimination against women and promoting gender equality.

5. The Committee requested Bahrain to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraph 26, regarding human trafficking and exploitation, and paragraph 44, regarding marriage and family relations. That information was duly provided within the set deadline, in March 2016 (see CEDAW/C/BHR/Q/3).

Mechanism and methodology used to draft the fourth periodic report of Bahrain

6. The Kingdom of Bahrain is submitting its fourth periodic report under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women on the measures taken to give effect to the provisions of the Convention. The report was drafted by the Supreme Council for Women, which is the official national entity for women in Bahrain, in cooperation with a national team made up of representatives from the legislature, executive and judiciary (ministries and official institutions) and from civil society organizations.

7. Any reference to "Convention" in the report is to be understood as referring to the Convention on the Elimination of All Forms of Discrimination against Women, any reference to "Committee" is to be understood as referring to the Committee on

the Elimination of Discrimination against Women and any reference to "Council" is to be understood as referring to the Supreme Council for Women.

8. In drafting the fourth periodic report, the Council was careful to consult with all competent official bodies in order to obtain the necessary data and to learn about the difficulties and challenges they had faced and their current and future operations. The Council also consulted and coordinated with the National Human Rights Institution, the legislature, the Bahrain Women Union, women's civil society organizations and professional bodies in order to canvass their views and hear their comments on the third periodic and its concluding observations. All of that was taken into account when drafting the present report.

9. The report was drafted using a methodology that reflected the reporting guidelines while taking full account of the Committee's concluding observations on the third periodic report. The concluding observations have been addressed and linked with the relevant provisions of the Convention.

10. The drafting process also drew upon the Committee's general recommendations, the Beijing Declaration and Platform for Action, the 2030 Sustainable Development Goals and other relevant international instruments.

11. The report includes some brief updated basic information which is to be considered as the core document of the Kingdom of Bahrain. The document will be sent to the Office of the United Nations High Commissioner for Human Rights (OHCHR) for submission to the human rights treaty bodies (see annex 1).

12. The report also includes a general overview of the principal frameworks involved in the fulfilment of the obligations of Bahrain under the Convention and the most important achievements made towards the advancement of women, as well as persistent challenges and the ways in which they are addressed.

II. Overview

13. Bahrain reaffirms its commitment to the Convention, on the basis of its constitutionally enshrined obligation to achieve equality of rights, duties and opportunities between men and women in a manner consistent with Islamic sharia. That commitment is reflected in the progress Bahraini women have made since the introduction of formal education in 1899 and of public education in 1928, and their participation in public life through elections to municipalities beginning in the early 1930s. When his reign began in 1999, the current King of Bahrain launched a reform and development project which, along with other national development policies and programmes, has led to an increase in women's representation in public life.

14. The Council is careful to follow a clear vision and strategic plans to achieve the principle of equality of opportunity and balance between the sexes, and to coordinate and cooperate with State authorities and civil society in that regard.

15. Bahrain wishes to reiterate its commitment to the Convention and its desire to cooperate and engage with the Committee, which is the most important and effective way in which to evaluate the situation of women and to assess any real progress made, as well as any outstanding challenges that remain, so that efforts in that regard may proceed uninterruptedly and transparently.

16. The fourth periodic report of Bahrain to the Committee serves to confirm the commitment of State institutions to the implementation of the Convention and to demonstrate their capacity to keep up their efforts within the institutional framework, in order to build on progress made and to overcome challenges. At this point, it is

necessary to review the main frameworks within which the Convention is implemented in Bahrain.

A. General framework for the promotion and protection of human rights

17. The National Action Charter, the Constitution and relevant legislation all guarantee legal protection for human rights in general and for women's rights in particular. The National Action Charter stipulates the principle of the equality of all citizens before the law and in respect of rights and duties. There is no discrimination between citizens on grounds of sex, origin, language, religion or belief. The political rights of women are also guaranteed, particularly the right to vote and the right to stand for election, as well as their right to education and property and to run businesses and engage in economic activity.

18. The Constitution states that all citizens, both men and women, have the right to participate in economic activity as workers or as employers, within a framework of comprehensive legal equality that takes account of economic principles, rules of social justice and the human right to choose the most fitting form of work on the basis of skill without restricting one profession or field of activity to one sex at the expense of the other. In fact, article 16 (b) of the Constitution states that "citizens are equally entitled to occupy public service posts, in line with conditions established by law", while article 13 (a) states that "work is a duty incumbent upon all citizens, imposed by dignity and required for the public good".

19. Article 1 of the Exercise of Political Rights Act, issued pursuant to Decree No. 14 of 2002, states that citizens — both men and women — may exercise the following political rights:

- Express their opinion in any referendum held in accordance with the Constitution;
- Vote for members of the Council of Representatives.

20. The right to take legal action is a fundamental right and one of the basic principles enshrined in the Constitution of Bahrain. That right may be exercised by anyone — both men and women — on an equal footing and without discrimination on grounds of race, sex, or religion. In addition, the State guarantees legal aid under the conditions set forth in law.

21. Bahrain has acceded to many international human rights treaties including most of the core United Nations human rights treaties and the Arab Charter on Human Rights.

22. The National Human Rights Institution, which was established under Royal Order No. 46 in 2009, is an important mechanism for promoting, developing and defending human rights, as well as for consolidating human rights values, raising awareness and guaranteeing that such rights can be exercised. Royal Order No. 17 of 2017, which sets forth the regulations for appointing members of the board of commissioners of the National Human Rights Institution, was an important step that enhanced the work of the Institution and empowered it to undertake its activities professionally and independently (see paragraph 210 of the report).

23. The Bahrain Institute for Political Development was established in 2005 with the aim of promoting a culture of democracy and supporting and consolidating peaceful and democratic principles.

24. The Supreme Coordinating Committee for Human Rights was established under Prime Ministerial Decree No. 50 of 2012 then reconstituted under Prime Ministerial

Decree No. 31 of 2017. The Supreme Coordinating Committee is responsible for coordinating with government bodies in all issues relating to human rights.

B. Situation of the rights and advancement of women

25. Article 4 of the Constitution states that equality and equal opportunity among citizens are the mainstays of society and are guaranteed by the State. According to article 5 (b): "The State guarantees the reconciliation of women's duties towards the family with their work in society, and their equality with men in political, social, cultural, and economic life, without violating the provisions of Islamic sharia".

26. The Council, which was established in 2001, continues to carry out activities and programmes in order to accomplish its objectives and to promote women in all fields, thereby giving effect to the National Plan for the Advancement of Bahraini Women.

27. Women in Bahrain have gone through the traditional phases of empowerment and acquisition of rights to become important partners in every aspect of development. Their participation in the workforce and in economic, social and cultural activities, as well as in every other aspect of life, has increased to the point that women — with their great natural gifts and fertile contribution to national life — now act on an equal footing with men and represent an essential component of comprehensive development and a driver of the national economy.

28. Bahrain has continued to work towards development and to apportion the benefits of development in line with criteria of social justice and respect for human rights. This has been reflected in an improvement of citizens' standards of living and an increase in per capita income that has seen Bahrain occupy first place among the Gulf States in terms of income equality between the sexes. In addition, access to education, health care and housing has been improved while service projects and infrastructure have been developed. As a result, the Kingdom ranks highly in terms of human and social development indicators, both among Arab countries and internationally.

29. According to the Global Gender Gap Report 2017 published by the World Economic Forum, Bahrain has climbed five places with respect to 2016 and currently stands at 126 out of 144 countries around the world, ranking second in the Gulf and third among Arab States. The World Economic Forum says that Bahrain is one of the best-performing countries in the Report having closed 54 per cent of the gender gap in the subindex of economic participation and opportunity, 99 per cent in the subindex of educational attainment and 96 per cent in the subindex of health and survival. In addition, Bahrain has closed the gender gap completely — and thereby attained first place in the world — under the indicators of enrolment in primary, secondary and tertiary education. Furthermore, Bahrain stands first among the countries of the Middle East and North Africa in the closure of the gender gap in the subindex of economic participation and opportunity, and it holds first place among Gulf States in closing the gender gap under the indicators of "wage equality for similar work", "estimated earned income" and "legislators, senior officials and managers".

30. According to a study conducted in 2014 by the Organization for Economic Cooperation and Development (OECD), the participation of women in middle management positions in Bahrain stood at 59 per cent, placing it first in that regard among countries of the Middle East and North Africa. In addition, a report published by the International Labour Organization (ILO) in 2016 showed that the Kingdom of Bahrain had registered the fastest rate of increase in the participation of women in economic activity of any country in the world. The same report also indicated that Bahrain ranked highest among countries of the Middle East and North African under

the indicator of self-employed businesswomen (28 per cent) and it had registered the biggest increase in the number of companies with women on the executive board (from 12 per cent in 2010 to 14 per cent in 2014).

31. According to the 2016 Human Development Report, Bahrain has maintained its position among States with very high human development, and human development indicators in Bahrain continue to rise, particularly those relating to the progress of women, education and young people.

32. In fulfilment of its mandate, the Council is continuing to promote the progress of Bahraini women across the world and to exchange experiences through cooperation and partnership with specialized United Nations and international organizations, agencies and other bodies.

33. The Kingdom of Bahrain has also achieved significant success at the global level through its membership of the United Nations Commission on the Status of Women from 2017 to 2021 and of the executive board of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) from 2017 to 2019, as well as its chairmanship of the thirty-sixth session of the Arab Women's Commission of the League of Arab States. In addition, Bahrain delivered a joint statement of behalf of the Arab Group (22 nations) and negotiated on behalf of the Group during the sixty-first session of the United Nations Commission on the Status of Women. Furthermore, with the agreement of other Arab nations, the capital of Bahrain was designated in 2017 as "Manama, Arab Women's Capital".

34. Bahrain signed a memorandum of understanding with UN-Women in June 2016 whereby UN-Women agreed to adopt and launch the Sabika bint Ibrahim Al Khalifa Global Award for Women's Empowerment. This was part of the efforts on the part of the Council to draw attention to successes regarding the situation of women at the national level, to implement best practices for the promotion of women at the global level and to pursue development goals that have a bearing on gender justice.

C. International instruments relevant to the status of women

35. The Kingdom of Bahrain is keen to engage with international instruments relevant to the status of women including the Beijing Declaration and Platform for Action, the 2030 Sustainable Development Goals, the Human Development Report and other relevant international and United Nations documents. Those instruments and documents provide an overview of achievements and challenges in the area of strengthening gender balance and empowering women.

36. According to the 2015 Human Development Report, Bahrain had a human development index of 0.824 placing it in the category of States with very high human development, forty-seventh globally out of 188 nations and fourth in the Gulf and among Arab States. In 2014, Bahrain had also received a ranking of 0.824 placing it in the same position vis-à-vis the Gulf and among Arab States but two places lower on the global scale. It should be pointed out that the country's gender development index stood at 0.970 in 2015, compared with 0.940 in 2014, while the global ranking of Bahrain on the gender inequality index moved from 51 to 48 in 2016.

37. Bahrain has been undertaking a process of self-evaluation and producing regular reports regarding the attainment of the Sustainable Development Goals. In 2010, Bahrain won the Millennium Development Goals Award. Bahrain drafted its fourth and most recent report in 2015 on the fifth Sustainable Development Goal: achieving gender equality and empowering all women and girls. Reports and statistics show that females and males participate in equal numbers in primary and secondary education,

while more women than men pursue tertiary education (an average of 153 women per 100 men in that field).

38. Bahrain has the highest ranking of any country the Middle East and North Africa as regards the percentage of women in senior management positions in the public service: 45 per cent as compared to an average of 29.1 per cent among Middle Eastern and North African States, according to a study conducted by OECD. Bahrain also ranked second in terms of female ministers (18 per cent).

39. The report Education for All 2000–2015, published by the United Nations Educational, Scientific and Cultural Organization (UNESCO), also showed that Bahrain has achieved a high level of gender equality. It rated gender equality in education at 0.972; in other words, almost 100 per cent. In addition, according to the most recent statistics produced by UNESCO published in the World Economic Forum's 2017 Global Gender Gap Report, the proportion of girls enrolled in primary, secondary and tertiary education was greater than that of boys and the gender gap had been closed entirely.

40. As regards indicators on women's health, according to a report issued by the World Health Organization (WHO), average life expectancy at birth for women is 77.9, the maternal mortality rate is 28.6 per 100,000 live births and the mortality rate among newborns 1.1 per 1,000 live births. WHO statistics published in the World Economic Forum's 2017 Global Gender Gap Report, show that Bahrain has closed the gap in the subindex of health and survival by 96 per cent, placing it fourteenth among Arab nations.

41. According to WHO statistics published in the World Economic Forum's 2017 Global Gender Gap Report, Bahrain has closed the gap in the subindex of health and survival by 96 per cent.

D. Cooperation with the Committee and progress made

42. The principal achievements of the Kingdom of Bahrain in meeting its obligations vis-à-vis gender balance and the advancement of women were set forth in the third periodic report. The fourth periodic report shows that those efforts are continuing at the national level with a view to achieving further progress, monitoring challenges on the ground and putting forward policies and programmes designed to address those challenges. In that regard, the following steps are being taken:

- Continuing collaboration with decision makers in ministries and other governmental and official agencies to ensure that they incorporate the National Plan for the Advancement of Bahraini Women into their own strategies and actions plans, and coordination at the national level to incorporate the needs of women into development programmes and budgets;
- Engaging with the competent bodies within the Ministry of Finance to ensure that women's needs are contemplated in the general State budget;
- Cooperating with the legislature and the judiciary by submitting opinions and proposals regarding laws to the Council of Representatives and the Consultative Council;
- Ongoing coordination with civil society bodies with a view to promoting their social role in raising awareness about concepts and methodologies associated with gender balance and equal opportunity;
- Studying and evaluating the situation of women in Bahrain and proposing policies, legislation, laws and solutions to support them by introducing and amending laws to fill existing gaps.

43. The dialogue that has always existed between the Committee and the Kingdom of Bahrain is a key resource that will continue to be used to boost achievements and confront challenges.

III. Follow-up on the implementation of the substantive provisions of the Convention

A. Introduction

44. In order to illustrate how the Convention has been put into effect, it may be appropriate to explain what the Council — the national mechanism responsible for promoting Bahraini women — has done to give effect to the Committee's concluding observations and what has been done to integrate those observations and recommendations into national programmes and action plans. The concluding observations not mentioned here will be addressed in the context of the follow-up to the implementation of the relevant articles of the Convention.

B. Dissemination of the Committee's concluding observations

45. Immediately after the consideration of the third periodic report, the Council organized a press conference to announce the outcome of the meeting and the interactive dialogue, which took place in Geneva in February 2014 and was attended by representatives from the legislature, the executive, the judiciary and civil society organizations.

46. The concluding observations were officially circulated among the legislature and the executive, including ministries and other official bodies, as well as among civil society organizations involved in their implementation. The Council requested that it be periodically updated on the activities of those bodies, so that any changes could be included in the fourth periodic report.

47. The national team for drafting the fourth periodic report was created.

C. Effective cooperation between the Supreme Council for Women and the legislature with a view to implementing the Convention

48. The legislature has demonstrated a clear commitment to the implementation of the Convention by establishing mechanisms to cooperate with the Supreme Council of Women. These include, by way of example, the following:

- A joint coordinating committee of the Supreme Council for Women and the legislature which includes members from standing and special committees of the Council of Representatives and the Consultative Council;
- Regular consultative meetings with the legislature in order to establish working priorities, identify areas of joint collaboration and define the role of the legislature in monitoring the National Plan for the Advancement of Bahraini Women 2013–2022 within the overall government action plan. In addition, the meetings serve to ensure that equal opportunity and the needs of women are reflected in the General Budget Act, that financial resources are duly earmarked for plans and projects within the national plan for the general State budget 2017–2018 and that programme monitoring mechanisms are set up. In addition, a permanent mechanism for exchanging information for the benefit of women has been created.

49. Through the mechanisms of cooperation and coordination with the legislature, the Council has been able to integrate the National Plan for the Advancement of Bahraini Women into the government programme for the years 2015–2018, which was adopted by the National Assembly in its fourth legislative term in January 2015.

50. The secretariat of the Council of Representatives and the Consultative Council has set up standing equal opportunity committees to help promote the national framework for integrating the development needs of women and to ensure equality of opportunity in those two bodies.

51. In addition, the legislature has taken care to make direct reference to the Convention — as the basis for the enactment of legislation — in the preamble to a number of laws, including:

- Anti-Human Trafficking Act No. 1 of 2008;
- Act No. 37 of 2012 promulgating the Children's Code;
- Domestic Violence Act No. 17 of 2015.

D. Recommendations of the Committee

Reservations

52. In its recommendations, the Committee encourages the State party to expedite, without delay, the review of its reservations to the Convention, with a view to withdrawing them or narrowing their scope, in line with the Convention, within an established time frame and with the full participation of women's civil society groups. It especially calls upon the State party to withdraw its reservations to articles 2 and 16, which are incompatible with the object and purpose of the Convention. In that regard, Bahrain wishes to reiterate that it fulfils its obligations under articles 2 and 16 of the Convention in a manner compatible with Islamic sharia. In other words, its reservation to those articles is maintained only inasmuch as they conflict with Islamic sharia and it does not detract from the essence of the Convention or from the principle of equality of rights and duties between men and women. The reservations arise only in certain questions regarding personal status and the family, and they do not affect the equality of women's rights and duties, in the general context or before the law. It should be noted that the Constitution states that Islamic sharia is the principal source of legislation.

53. The legislature passed Decree-Law No. 70 of 2014 to amend certain provisions of Decree-Law No. 5 of 2002, under which Bahrain acceded to the Convention on the Elimination of All Forms of Discrimination against Women. The 2014 Decree-Law includes provisions to reword some of the reservations to the Convention and adds an article, which states as follows: "The Kingdom of Bahrain remains committed to the implementation of articles 2, 15 (4) and 16 of the Convention on the Elimination of All Forms of Discrimination against Women, without violating the principles of Islamic sharia."

54. The Ministry of Foreign Affairs has contacted the relevant United Nations bodies to provide official notification of Decree-Law No. 70 of 2014 amending certain provisions of Decree-Law No. 5 of 2002, under which Bahrain acceded to the Convention on the Elimination of All Forms of Discrimination against Women, and including provisions to reword some of the reservations to the Convention.

IV. Part I of the Convention: articles 1 to 6

A. Definition of discrimination

55. Following the submission of the third periodic report of Bahrain, the Committee observed that, under articles 4 and 18 of the Constitution, equality is guaranteed by the State, all citizens are equal before the law and discrimination based on sex is prohibited. In addition, the Committee noted that the Convention has force of law in Bahrain. Nevertheless, it reiterated the need for national legislation to contain an explicit prohibition of discrimination against women, as defined in article 1 of the Convention (paragraph 11 of the concluding observations).

In that regard, Bahrain wishes to reiterate the following:

56. The Constitution, as the most fundamental and sacrosanct document in Bahrain, guarantees equality among all components of society, and it does not discriminate with regard to rights, freedoms and duties on the basis of sex. In fact, article 4 of the Constitution states that justice is the foundation of governance while cooperation and mutual respect constitute a bond between citizens. At the same time, freedom, equality, security, trust, education, social solidarity and equality of opportunity among citizens are the mainstays of society and are guaranteed by the State.

57. All legislation is consistent with those constitutional provisions, which aim to promote equality among persons, without any discrimination on the basis of sex.

58. Bahrain states once again that, following the act of accession, the Convention has become part of its domestic law. Accordingly, the definition of discrimination as contained in article 1 is held to be, together with constitutional provisions and other relevant laws, a fundamental reference for the prevention of discrimination. It is the definition currently applied in national legislation and the one used by the courts when examining relevant cases.

B. Commitment to eliminating discrimination in discriminatory laws

59. Legislators included a general commitment to eliminating discrimination in article 18 of the Constitution, which states as follows: "People have equal human dignity and have the same public rights and duties before the law. There shall be no discrimination on grounds of gender, origin, language, religion, or belief." On the basis of that constitutional provision, legislation passed in Bahrain continues to prohibit discrimination against women (for further details, see annex 2).

60. The authorities in Bahrain are careful to ensure that legislation is aligned with the Constitution and consistent with the overall development of a legislative framework and the principles of equal opportunity and gender balance.

61. The authorities in Bahrain run education programmes on the Convention and its direct application in domestic courts for judges, lawyers and law enforcement officials. The training and awareness-raising courses are held on a rolling basis in cooperation with the Institute for Judicial Studies and the Council. Bahrain Women's Day 2016 was dedicated to a celebration of women in the field of law and justice and included intensive training programmes to raise awareness about all treaties, laws and legislation of specific concern to women, including the Convention. The programmes are aimed at all sectors of society, including judges and lawyers, women's and professional associations and groups of young people of both sexes.

62. **Challenges and future measures: ensuring sustainable development**

- Ongoing review of national legislation and aligning it with the Convention in order to guarantee the principle of equality of rights and duties between men and women;
- Ongoing training programmes on the Convention for judges, lawyers and law enforcement officials;
- Ongoing awareness-raising about concepts and methodologies associated with gender balance and equal opportunity and promoting the role of civil society organizations in that regard.

C. National machinery for the advancement of women

63. The Committee noted the restructuring of the secretariat of the Supreme Council for Women, the establishment of equal opportunity units in various ministries and the many awareness-raising and training activities carried out. Nevertheless, the Committee also expressed its concern about the limited support provided by the Supreme Council for Women to non-governmental organizations (NGOs). In that regard, the Kingdom of Bahrain would like to make the following observations:

64. Since it was established, the Council has worked within its mandate to apply the National Plan for the Advancement of Bahraini Women and to develop strategies for its implementation in cooperation with partners and allies in the legislature, the executive and the judiciary, as well as in the private sector and civil society bodies, which have, in their turn, adopted the Plan. The Plan itself was integrated into the government programme for the years 2015–2018, as adopted by National Assembly in its fourth legislative term in January 2015.

65. The Council has restructured its secretariat in order to keep pace with the advancement of Bahraini women in public life and to make its administration and its departments more effective in that regard. It has established centres with the following names: the "gender balance centre", the "women's support centre" and the "women's information and strategy centre". The Council has the authority to develop its own structure as necessary, making it able to adapt to any novelties or developments in the field of administration. This makes it more effective in fulfilling its mandate and running programmes to serve women and ensure their continued progress.

66. With regard to the gender balance centre, the national committee for monitoring and implementing the national framework for the integration of women's needs into the Government's programme of action, headed by the Supreme Council for Women, is working to integrate the needs of women into the Government's programme of action. This will help to transfer the idea of integration into a tangible reality that takes account of the needs of women in the overall development system. It will also serve as a comprehensive model of knowledge management in the field of equal opportunities and their application, thus having a positive impact on the participation of women in the national economy and preserving the gains they have made in the field of human rights.

67. Since the issuance of Civil Service Council Decree No. 4 of 2014, which mandated the creation of standing equal opportunity committees in all ministries and official bodies, the number of equal opportunity committees has increased: in the public sector from 29 in 2014 to 45 in 2017 and in the private sector from 2 in 2014 to 16 in 2017. It should be noted that the Decree is binding on government institutions only. Since the Council began monitoring the work and activities of the committees,

it has noted several outstanding practices among those operating in the public sector, including:

- Creating openings for women with special family circumstances allowing them to access State-run health services near their places of work or temporary residence;
- Enabling mothers confined to hospital to care for their children during their stay by providing all necessary support, and caring for the well-being and health of the children concerned;
- Allowing the equal opportunity committee of the Ministry of Labour and Social Development to review recruitment forms in order to ensure equality of opportunity;
- Allowing female staff at the Ministry of the Interior to undertake specialized duties and tasks in police flight control, forensic laboratories, the Special Security Force Battalion and personal protection units, and to work as engineers in the traffic department and in civil defence as well as in public works and telecommunication.

68. Outstanding practices among equal opportunity committees operating in the private sector were also noted, the main ones being:

- The introduction of a women's empowerment prize for managing directors in a national bank;
- Allowing unmarried Bahraini women to benefit from homeownership programmes run by companies;
- Incorporating and taking account of the needs of women and families in the design of public buildings and facilities, most importantly, in the project for the new airport of Bahrain;
- Bearing the social security costs for female employees who extend their maternity leave as unpaid leave. Women are given 140 days of maternity leave and 10 days of family leave (under the Labour Code, they are entitled to 60 days of maternity leave and 1 day of family leave).

69. The implementation of the national framework for the integration of women's needs into the Government's programme of action has led to the drafting of a national report on gender balance in the government sector and the creation of the national gender balance observatory, in partnership with government and official bodies. The aim is to ensure that the female component in indicators and statistics is duly reflected in national databases and records and to work towards creating an electronic gender balance app in which to bring together the sources used to monitor and compile indicators concerning Bahraini women.

70. The women's support centre of the secretariat of the Supreme Council for Women works to complement the system of services and facilities put in place by the Council as part of its efforts to monitor the needs of women. To that end, it receives Bahraini women and non-Bahraini women who are married to Bahrainis and assists them to resolve the problems they may face using the means and mechanisms available, acting within the Council's jurisdiction and in coordination with the competent authorities. It also provides free legal assistance in cases involving maintenance, divorce and custody and in civil cases that may arise within the family. In addition, the women's support centre works to develop the necessary skills-enhancement programmes and to raise awareness about legal culture. It provides women with free family and legal counselling and with preventive and remedial social services aimed at achieving family harmony, and it pursues friendly agreements and

divorce settlements to ensure family stability. Widows, divorcees, abandoned pregnant women and female breadwinners are assisted to obtain housing services in coordination with the Ministry of Housing, while Bahraini women married to non-Bahrainis receive support until their children can obtain Bahraini citizenship.

71. In paragraph 16 of its previous concluding observations, the Committee recommended that the Council should strengthen its cooperation with all stakeholders, in particular by supporting women's civil society groups and non-governmental organizations. In that connection, the Kingdom of Bahrain would like to draw attention to the following:

- The Council continues to cooperate and coordinate with civil society organizations in general and, in particular, with women's associations and committees and the Bahrain Women Union, through memorandums of understanding and joint projects and programmes. When the Bahrain Women Union was contacted to provide information and data for inclusion in the fourth periodic report, it expressed its appreciation for the role of the Council in the advancement of women and its vision of equal partnership to build a competitive and sustainable society. It is clear from all legislation, regulations and ministerial guidelines that women enjoy equality of rights and duties on an equal footing with men;
- The commission to promote cooperation between the Supreme Council for Women and women's needs integration committees within NGOs has been re-established, as has the commission to promote cooperation between the Supreme Council for Women and women's associations and committees within civil society organizations. Areas for cooperation have been expanded, an annual action plan for joint programmes and activities (including cooperation in activities to mark Bahrain Women's Day) has been drafted and training courses and awareness-raising workshops have been organized;
- Equal opportunity committees under the name "committees for integrating women's needs" have been set up, as a first stage, in six professional associations. The members of the committees have received training on how to activate the role of those associations in integrating the needs of women into their particular field, on the basis of the principle of equal opportunity;
- The Ministry of Labour and Social Development provides monthly financial support to civil society organizations that deal with women and young people, as well as to NGOs. In addition, support is provided for programmes run by civil society organizations.

72. **Challenges and future measures: ensuring sustainable development**

- Keeping up with the latest developments in policies for the advancement of women and how they affect the organizational and administrative apparatus of the national mechanism for women, in order to ensure that the position of women is promoted and their advancement sustained;
- Monitoring outstanding practices in support services for women who work in the public and private sector and disseminating those practices in order to achieve equal opportunity and gender balance;
- Following up and evaluating the national gender balance observatory, to ensure that the female component in indicators and statistics is duly reflected in national databases and records;

- Following up on the creation of an electronic gender balance app as a means to bring together the sources used to monitor and compile indicators concerning Bahraini women;
- Continuing to activate cooperation mechanisms with civil society organizations in general and, in particular, with women's associations and committees and the Bahrain Women Union, so that they can play their role in monitoring the needs of women and promoting their involvement at all levels of society.

D. Temporary special measures

73. Under the Constitution of the Kingdom of Bahrain, women may stand for election, vote and exercise their political rights. According to article 1 (e): "Citizens, both men and women, have the right to participate in public life. They enjoy political rights, including the right to vote and to stand for election, in accordance with the Constitution and the conditions set forth in law. No citizen may be deprived of the right to vote or to stand for election save by law." In that context, the Committee's concerns about de facto or substantive equality between women and men in areas where women are underrepresented or disadvantaged, including in political life, decision-making bodies and the private sector, do not represent the reality of Bahraini women, either directly or indirectly.

74. The Kingdom of Bahrain wishes to reiterate its position regarding the system of quotas. The equality of men and women in political and public life is enshrined in the Constitution and practical reality has shown that Bahraini women are not in need of a quota system as they can, on the basis of their own abilities, gain access to parliament and to municipal councils. Statistics disaggregated on the basis of gender show that they have been able to attain positions of power and decision-making roles in various different fields (legislature, executive and judiciary) as well as in the private sector (for further details, see the statistics on Bahraini women in annex 4).

75. The legislature in Bahrain is made up of two chambers, an appointed chamber and an elected chamber. Royal Order No. 59 of 2014 specifies the rules for appointing members of the former, the Consultative Council, members of which are chosen by the King of Bahrain. According to those rules, women must be appropriately represented. The proportion of women in the legislature stands at 15 per cent and on elected municipal councils at 20 per cent. Furthermore, women's participation in elections for parliamentary and municipal councils in 2014 reached 46 per cent.

76. In the government sector:

- The participation of Bahraini women in the government sector, as a proportion of all Bahrainis in that sector, stood at 51 per cent in 2014 and 53 per cent in 2016;
- The proportion of Bahraini women in executive positions, as a proportion of all Bahrainis in executive positions in the government sector, stood at 35 per cent in 2014 and 40 per cent in 2016;
- The proportion of Bahraini women in specialized roles, as a proportion of all Bahrainis in specialized roles in the government sector, stood at 57 per cent in 2014 and 59 per cent in 2016.

77. In the private sector:

- The participation of Bahraini women in the private sector, as a proportion of all Bahrainis in that sector, stood at 31 per cent in 2014 and 33 per cent during the third quarter of 2017;
- The proportion of Bahraini women occupying managerial and supervisory roles in the private sector stood at 31 per cent in 2014 and 33 per cent during the third quarter of 2017.

78. In business and self-employment:

- The proportion of registered individual commercial enterprises owned by women rose from 24.3 per cent in 2001 to 43 per cent in 2016, a rate of increase of 18.7 per cent;
- The proportion of registered individual commercial enterprises owned by women that have lasted for more than five years, as a proportion of all registered individual commercial enterprises owned by women, stands at 50.5 per cent.

79. In education:

- The proportion of Bahraini women in education, as a proportion of all Bahrainis in State-run education, stood at in 2014 and at 73 per cent in 2016.

80. In health care:

- The proportion of Bahraini female doctors, as a proportion of all Bahraini doctors, stood at 63 per cent in 2015.

81. In paragraphs 17 and 18 (a), (b) and (c) of its concluding observations on the third periodic report, the Committee reiterated that the State party should adopt temporary special measures to accelerate the achievement of de facto or substantive equality between women and men in all areas of the Convention. In that regard, Bahrain would like to state as follows:

82. Legislation in Bahrain, first and foremost the Constitution, states that men and women have equal rights and duties and prohibits any form of discrimination on the basis of sex. From that starting point, women in Bahrain have made qualitative gains and strides in various areas of social, economic and political life. The Kingdom of Bahrain continues its efforts to support women and to enhance the achievements and gains they have made by passing new legislation and amending existing laws and decrees in order to support the role of women, integrate their needs and make them active partners in the process of sustainable development. Note should be taken, for example, of the following:

- The Family Code No. 19 of 2017, the provisions of which are applicable to all families, without discrimination;
- Decree-Law No. 23 of 2015, which provides for the Court of Cassation to hear appeals against judgments handed down by sharia courts thereby enabling access to justice at the highest levels in matters pertaining to family rights;
- A decree of the Council of Ministers in 2014, which states that "a wife's possessions on the commercial register do not preclude her entitlement to financial support from her husband";
- A decree of the Council of Ministers in 2014 to create a women's sports centre;
- A circular issued in 2014 by the Governor of the Central Bank of Bahrain gave approval for women to submit requests to open an account on behalf of their children in all licensed financial institutions and made the acceptance of such

requests a condition for those institutions to maintain their licences from the Central Bank to operate in Bahrain;

- A decree of the Council of Ministers in 2015 stating that a husband's salary must be considered separately from the salary of his wife when calculating the basic income of a head of household in applications for housing assistance;
- Decree of the Minister of Housing No. 909 of 2015 provides for a "fifth category" which comprises divorced or abandoned women, childless widows and single orphaned women; the housing committee may, at its discretion, offer temporary accommodation to women in that category.

83. **Challenges and future measures: ensuring sustainable development**

- Ongoing development of domestic legislation, closing loopholes and applying laws to ensure equality of opportunity and gender balance;
- Activating monitoring and measurement methods in order to produce accurate data and statistics on the advancement of Bahraini women in various fields and to improve the standing of Bahrain in international reports;
- Drawing attention to success stories involving Bahraini women in the legislature (the Council of Representatives and the Consultative Council);
- Continuing to activate the role of partners and stakeholders in the implementation of the general framework of the electoral preparedness programme for Bahraini women;
- Continuing to activate the role of civil society organizations involved in promoting programmes to raise awareness about the participation of women in public and political life.

E. Stereotypes

84. The Committee expressed its appreciation of the efforts by the State party to re-examine the stereotyped content of school curricula and books and welcomed the efforts of the State party, in partnership with the media, to increase the participation of women and to show a positive and diverse image of women in public life. However, the Committee remained concerned about what it described as the persistence of traditional stereotypes regarding the roles and responsibilities of women and men in society and, in particular, within the family (paragraphs 19 and 20 of the concluding observations). In that regard, Bahrain would like to state the following:

85. Since 2016, the Council has been running a programme in collaboration with the Ministry of Education under the name of the "School Awareness Kit". The Kit, which is aimed at primary level students in State-run and private schools, includes a number of booklets: a booklet on the Council, a booklet informing students about the goals of the national framework for integrating the development needs of women and about equal opportunity apps, a booklet on the National Plan for the Advancement of Bahraini Women and a guide to train teachers on mechanisms for using the Kit.

86. The purpose of the Kit is to change the stereotypical image of women in school curricula in a way that reflects the progress made by Bahraini women, promotes their participation and advancement and raises levels of awareness around women's issues in Bahrain using educational tools such as school curricula. Thanks to the Kit, teachers in State-run schools for both boys and girls, and in private schools, are trained in and made aware of concepts such as integration, equal opportunity and

social justice between the sexes. At the same time, students undertake activities, both inside and outside the classroom, and are involved in exhibitions, competitions, publications and other events on the concepts incorporated in the Kit and on related issues such as protecting women from domestic and other forms of violence. Regular field visits to schools are carried out for the purposes of follow-up and evaluation (for further details, see annex 3, which includes examples of publications of the Supreme Council for Women and the booklets included in the School Awareness Kit).

87. Just as Manama was being designated as "Arab Women's Capital 2017" by the League of Arab States, Bahrain was hosting a regional workshop on enhancing the image of women in the Arab media. The event — which was held in Manama from 13 to 14 September 2017 in collaboration with the Bahrain National Commission for Education, Science and Culture and the Ministry of Information — was attended by a number of governmental experts on women's issues and the role of women in building society, and by representatives of media institutions from Arab member States of the Organization of Islamic Cooperation (OIC). The purpose of the initiative was to empower women in the media, to highlight the role of media outlets in promoting and supporting efforts to empower Arab women, to determine the impact of media content in sustaining those efforts and to correct any misdirection, and to measure what success the media message in the Arab world has had in altering the stereotypical image of woman and in presenting them as active players in the development of society. The workshop recommended that a women's media observatory be established within OIC. It also encouraged member States to continue to evaluate and develop strategies and plans for the empowerment of women and to evaluate the impact of such plans on media content and its support for the role of women in public life.

88. The Kingdom of Bahrain has carried out a number of academic studies on women and the media. Of these, the most important was a study analysing women's programming on Bahraini television between November 2016 and June 2017 and another entitled "the reality of Bahraini women in the media 2013". The studies concluded that Bahrain television programmes were able to show a modern image of Bahraini women, in keeping with the advanced position they have attained in various fields (see annex 3 for an example of these studies).

89. Bahrain devoted Bahrain Women's Day 2013 to the theme of "Women in the Media". As part of that initiative, a "media rally" competition was organized for young persons of both sexes as a way of contributing to the development of women's media in various different fields, promoting a positive media image of women, developing a spirit of competition among persons working with women's issues in the media and encouraging creative media professionals to embrace women's issues.

90. Statistics produced by the Council's media centre show that local news outlets, across various media, dealt in a positive manner with topics relating to women 74.3 per cent of the time in 2017. The leading topic was family stability, which alone accounted for 18.2 per cent of all broadcast content. The statistics also showed a 44 per cent fall in the rate of use of stereotypical or negative images of women in publicity and advertising in 2017 with respect to 2016. In addition, 173 hours of radio broadcasts and 51 hours of television broadcasts were dedicated to women and family programmes in the period 2014–2017.

91. Bahraini women work in the media in various different capacities where they also occupy non-traditional roles and decision-making positions. For example, women have held the posts of Minister of Culture and Information (from 2008 to 2010), Minister of Media Affairs and the official spokesperson for the Government of Bahrain (2012). In addition, a woman served as Deputy Minister for Radio and Television in 1985 and women have held a number of specialized technical posts

including the following: presenter, programme producer, programme coordinator, programme director, programmer, equipment operator, voice technician, newspaper editor and translator.

92. **Challenges and future measures: ensuring sustainable development**

- Implementing and following up on recommendations emerging from studies regarding the image of women in the media and the role of the media in highlighting women's activities in all areas;
- Continuing to promote a positive media message regarding women using all outlets including social media and new communications technologies;
- Using media support methods to promote the participation of women as a key component in the development of various groups in society, including women themselves;
- Continuing to run awareness-raising programmes and seminars for school students and to develop curricula with content that celebrates the advancement of women;
- Continuing to develop academic curricula that promote the image of women and their participation in public life.

F. Violence against women

93. With reference to paragraphs 21, 22, 23 and 24 of the Committee's concluding observations, Bahrain would like to state as follows:

94. Article 1 of the Domestic Violence Act No. 17 of 2015 defines domestic violence in the following terms: "Any act of abuse that occurs within the family setting and that is perpetrated by 'the aggressor' against 'the victim'." Acts of abuse are divided into four categories, defined as follows:

- Physical abuse: attacking the physical integrity of the victim by any means;
- Psychological abuse: any act that causes psychological harm to the victim, including insults and slander;
- Sexual abuse: according to the Act, this involves any of the following actions by the aggressor towards the victim:

  (a) Sexual assault, or the coercion or exploitation of the victim, using any means, to satisfy the sexual desires of the aggressor or of a third party;

  (b) Exposing the victim to sexual materials or sexualized behaviour;

- Economic abuse: any act that deprives the victim of the right or freedom to dispose of personal assets, in such a way as to cause harm to the victim.

95. The Act also includes provision for protection orders, which are issued by the Office of the Public Prosecution, the competent court or the investigating magistrate to protect the victim in circumstances set forth in the Act. In addition, chapter II of the Act stipulates measures of protection from domestic violence. Article 7 states that the Ministry (i.e., the Ministry of Labour and Social development) shall provide the following services and take the following measures to curb domestic violence, in coordination with all official bodies, each with its own jurisdiction:

- Action to raise public awareness of the dangers and impact of domestic violence;
- Compilation and dissemination of adequate information on family guidance as well as on treatment, rehabilitation and shelter services, how to access such services and the bodies that provide them;
- Provision of adequate shelters for domestic violence victims, also the provision of treatment and rehabilitation, how to access such services and the bodies that provide them;
- Provision of family, psychological, social and health-care guidance services, as well as rehabilitation services for aggressors and victims of aggression;
- Provision of legal assistance to victims, if necessary;
- Monitoring of criminal proceedings concerning domestic violence through the presence of a representative during court sessions;
- Provision of specialized training programmes and lectures on domestic violence for law enforcement officers, judicial officials and prosecutors;
- Dissemination of data on domestic violence and on means for preventing domestic violence without undermining personal freedom and privacy;
- Creation of a hotline to receive reports and complaints of domestic violence;
- Development of national indicators to monitor cases of domestic violence, in collaboration with the competent authorities.

96. Article 9 of the Act requires the Office of the Public Prosecution and the police to protect society and to safeguard confidentiality. Under article 15 of the Act, the Office of the Public Prosecution may issue a protection order, either on its own volition or at the request of the victim, under which the aggressor is required not to interfere with the victim, not to damage the personal property of the victim and not to approach protected areas or any location stated in the protection order.

97. On the occasion of the 2015 edition of the International Day for the Elimination of Violence against Women, which falls every year on 25 November, the Supreme Council for Women launched its national strategy to protect women from domestic violence. The strategy — which focuses on the following main themes: prevention, protection, services, laws and legislation, awareness-raising and media support, studies and research, and evaluation and follow-up — was drafted by a national team including representatives from all competent ministries, official institutions and civil society organizations. An action plan for the strategy has been devised, which includes precise indicators for the various stages of implementation, reflecting the mandate of each institution involved.

98. A number of executive decrees have been issued to give effect to the Domestic Violence Act:

- Decree No. 7 of 2017 issued by the Minister of Justice, Islamic Affairs and Awqaf designating certain personnel of the Ministry of Labour and Social Development as law enforcement officials in order to give effect to article 6 of the Domestic Violence Act No. 17 of 2015;
- Decree No. 26 of 2017 issued by the Minister of Labour and Social Development regarding conditions and procedures for licensing family guidance centres.

99. The rate of domestic violence against Bahraini women, as a proportion of all Bahraini women, dropped in 2015 to 0.39 per cent in 2015 from 0.41 per cent in 2014, following the enactment of the Domestic Violence Act No. 17 of 2015 and the launch of the national strategy to protect women from domestic violence.

100. As regards penalties against perpetrators of domestic violence, the Domestic Violence Act refers to the general provisions set forth in the Criminal Code. Offences involving the family are contemplated in the Code under articles 316 to 332, offences against the person in articles 333 to 372 and offences against property in articles 373 to 400. Nonetheless, the Domestic Violence Act does establish two penalties, one regarding infringements of protection orders and the other concerning the creation of unauthorized family guidance centres.

101. Work has been done to amend the Bahraini Criminal Code regarding crimes against the person, in particular the following articles:

- A bill to repeal article 353 of Decree-Law No. 15 of 1976 promulgating the Criminal Code, according to which a person who commits rape shall be exempt from punishment if he marries his victim. The bill has been referred to the legislature;
- A bill to amend article 344 of Decree-Law No. 15 of 1976 promulgating the Criminal Code, which addresses one aspect of sexual assault: i.e., when the female is under the age of 16;
- A bill to amend article 16 (the use of violence justified by custom) and article 334 (which envisages a mitigated penalty for a husband who comes across his wife committing adultery). It should be stated once again that so-called honour crimes do not exist in Bahrain.

102. With regard to the recommendation to provide mandatory training to judges, prosecutors and the police on violence against women and on how to deal with victims of such violence, the Institute for Judicial Studies organizes integrated training courses and specialized workshops run by local and international experts or sends participants to external training courses.

103. The Office of the Public Prosecution provides similar training to members of the public though courses and lectures to raise people's awareness and educate them about the rights of women, the legal, social and psychological protection available to them and the importance of reporting any kind of violence against women.

104. In December 2017, Bahrain launched its national statistical database on domestic violence — "Takatof" — coinciding with a global campaign against violence against women. The launch, which came within the framework of the national strategy to protect women from domestic violence and involved cooperation between the Supreme Council for Women and the Ministry of the Interior, was attended by the Deputy Secretary-General of the United Nations, the Executive Director of UN-Women, a representative from the League of Arab States, representatives from the judiciary, the legislature and the executive, members of diplomatic missions to Bahrain, civil society organizations and a large number of journalists. The purpose of the database is to monitor and follow-up on cases of domestic violence via a sophisticated electronic platform and to produce a consolidated register of domestic violence and its effects on victims. The database uses standardized definitions and classifications of violence with a view to facilitating research and producing statistics that will improve the international standing of Bahrain in that regard.

105. The Council runs permanent awareness-raising and legal culture programmes, and it produces educational booklets on protecting women from domestic violence, the economic rights of women, the Family Code and other subjects (for further details, see annex 3).

106. The women's support centre of the Supreme Council for Women assists female victims who have suffered violence. It receives complaints, offers guidance and psychological counselling, provides rehabilitation services run by specialists and

experts, and gives high-quality advice and legal assistance. In addition, it works to conclude legal reconciliation agreements between husband and wife.

107. Family protection offices have been set up in police stations in a number of governorates in Bahrain. They receive reports of domestic violence and provide services to prevent and treat the phenomenon within an appropriate environment that respects the privacy of the family and the methodology for treating cases of violence. In view of the success of this experiment, the Minister of the Interior has issued a decree to expand it and open family protection offices in police stations in all governorates.

108. Under Decree of the Public Prosecutor No. 1 of 2016, a special prosecutor's office for family and children was set up, headed by a female judge holding the rank of judge of the Supreme Court of Appeal. The new office is responsible for taking the necessary protection measures vis-à-vis women who are subjected to violence, intervening promptly to stop that violence, providing psychological, social and legal support to victims within a safe environment and punishing offenders.

109. Services available via the Ministry of Labour and Social Development's child protection centre and the children's emergency helpline:

- Emergency support services for children;
- Care for children exposed to physical or mental abuse;
- Health care and psychological, social and educational counselling;
- Coordination of legal services;
- Temporary or permanent foster care in cases of extreme need;
- Rehabilitation of children and families and preparation for the reintegration of the child into the family.

110. In addition, female police offices provide the following services in the child protection centre:

- They receive reports from police stations, hospitals, health centres and schools, as well as anonymous reports, at all times including on weekends and official holidays;
- Recording victims' accounts at the centre or in hospitals;
- Accompanying victims to the Office of the Public Prosecution and the medical examiner and, as required, undertaking field visits;
- Following up on cases from birth to the age of 15.

111. Family guidance offices in social centres run by the Ministry of Labour and Social Development have played a positive role in gaining access to victims of violence and offering them guidance and protection. Workshops and meetings are held periodically with families at the social centres. Cases involving violence against women are monitored via the shelter for victims of domestic violence (Dar al-Aman) and via police stations. Seven family guidance offices have been set up in social centres across all the governorates of Bahrain, in addition to one office of the child protection centre.

112. Dar al-Aman, the shelter for victims of domestic violence established in 2006, is a State-run institution that comes under the Ministry of Labour and Social Development and is administered by an NGO. It gives temporary shelter to female victims of violence and their young children. It also provides assessment and social support, family and psychological guidance as well as legal counselling to victims of violence. The services are delivered by a staff of male and female social workers,

doctors, psychiatrists and legal experts. Childcare is also available. The home is open 24 hours a day and refers cases to the competent authorities, either during the period shelter is being provided or afterwards, in coordination with government and private agencies.

113. Services available in Dar al-Aman:

- Care and rehabilitation with a view to re-socializing the victim and reconstructing their personality;
- Follow-up on cases where a person has been reintegrated into their own family to ensure that they are not again subjected to violence and that they are able to adapt to their family and social surroundings;
- Programmes and training courses on the rehabilitation of women who have been subjected to violence;
- A workshop to help women reintegrate into the labour market;
- A sports club to promote women's physical health;
- A nursery for children.

114. Victims or any member of their family have the right to report an incident of domestic violence. Likewise, anyone who becomes aware of an incident of domestic violence by virtue of the exercise of their profession in medicine or education has a duty to inform the Office of the Public Prosecution, the police, Dar al-Aman or the child protection centre. The Office of the Public Prosecution and the police are under an obligation to protect the party reporting the incident by not disclosing their name or identity unless otherwise required in the course of legal proceedings. In addition, the statements of the parties involved and of any witnesses, including children, are to be taken in appropriately equipped rooms. All persons involved must be allowed to make their statements freely and confidentially, and all communications, correspondence and proceedings regarding cases of domestic violence are to be kept confidential.

115. The Committee recommended that measures be taken to ensure that the lack of reported cases of rape is not due to victims' fear of retribution or stigma or a sign of lack of confidence in the police or the Office of the Public Prosecution. However, that recommendation is out of place in the light of the constant care Bahrain takes to disseminate awareness regarding women and how to protect them and ensure that they can enjoy their rights on an equal footing with men. Bahraini society in general, and Bahraini women in particular, are advanced enough to know that they can inform the authorities about any possible situation they may face, especially cases of rape, without fear of any kind and with full confidence in the State's ability to protect them and to pursue wrongdoers and bring them to trial. This is because criminal procedural law envisages protection for persons making statements. In fact, according to witness protection provisions contained in section I (5) and in section VI of the Code of Criminal Procedure, the statements of witnesses and victims are to be taken without revealing their identity, in addition to other protection measures.

116. **Challenges and future measures: ensuring sustainable development**

- Intensifying cooperation and coordination among all the parties involved in implementing the national strategy to protect women from domestic violence;
- Increasing the number of studies and academic and media forums that could contribute to preventing domestic violence before it occurs and to addressing risk factors;

- Building on successful experiments in family protection offices, guidance programmes and family reconciliation;
- Following up on the activation and evaluation of the unified database by using feedback and electronic tracking to obtain and ameliorate data and to improve the quality of services and preventive programmes;
- Following up on proposals to amend the Criminal Code, including the repeal of article 353 and the modification of article 16.

G. Trafficking and exploitation

117. With regard to the Committee's recommendations on combating human trafficking, the Kingdom of Bahrain has taken vigorous action in this regard and provides all stakeholders with periodic reports concerning shelters, in particular reports concerning the shelter for the protection of victims of human trafficking. The Public Prosecution Service also issues annual statistics on trafficking in persons, including data on the number of victims and the type of exploitation to which they have been subjected. Public awareness is raised through diverse media and publications in the local press. Reports that women victims of trafficking refrain from filing complaints for fear of retribution by employers and because of the risk of being detained or deported are unfounded. No complaints have been received in this regard and no investigations of the issue by the competent authorities have indicated that victims failed to report on account of such fears.

118. The importance attached by the Kingdom of Bahrain to the issue is illustrated by the organization by the authorities involved in the fight against human trafficking of training programmes and workshops to raise awareness and to provide instructions on how to control and address such crimes. For example, the Public Prosecutor's Office provided training courses for law enforcement officers tasked with handling trafficking offences from the Ministry of the Interior, the Ministry of Labour and Social Development, and the Labour Market Regulatory Authority. The staff of the Public Prosecutor's Office also implement other local and international programmes. The Institute for Judicial and Legal Studies pays particular attention to the organization of such lectures and workshops for judges and prosecutors so that they can monitor key provisions applicable to trafficking in persons.

119. During the investigation, the Public Prosecutor's Office exercises the powers entrusted to it under Act No. 1 of 2008 concerning the victim's best interest in coordination with the relevant executive authorities. The role and powers attributed to the Public Prosecutor's Office under the applicable legal provisions are as follows:

- To inform victims of their rights and enable them to clarify their status as victims of the crime, to present evidence of the situation and to prove it during the investigations;
- To guarantee access to medical and psychological care for victims by presenting them to specialist physicians and placing them in medical and psychological rehabilitation centres if necessary;
- To place victims in competent shelters or rehabilitation centres, or to take steps to provide them with the requisite accommodation;
- To contact the Committee for Assessment of the Status of Foreign Victims of Trafficking in Persons in order to remove any impediments faced by victims, including, if necessary, by taking steps to facilitate their access to employment.

120. Article 292 of the Judicial Instructions of the Public Prosecutor's Office requires prosecutors to send a copy of the case file to the Committee for Assessment of the Status of Foreign Victims of Trafficking in Persons established by Act No. 1 of 2008 on Combating Trafficking in Persons so that it takes the requisite action on behalf of foreign victims.

121. Article 293 of the Judicial Instructions of the Public Prosecutor's Office requires investigating officers who come across specific means or methods used by offenders during their investigation of crimes of human trafficking to prepare a memorandum on their findings and send it to the Advocate General's Office for an Assessment. The Advocate General then notifies the National Committee to Combat Trafficking in Persons of matters that it should take into account when developing its crime-fighting strategy.

122. With regard to the Committee's recommendation **to take measures to ensure access to legal aid for victims** and to the necessary assistance and protection, we wish to point out that the shelter for victims of trafficking in persons provides victims with the necessary legal aid. It provides legal advice and organizes protective security arrangements for victims where necessary. The Committee for Assessment of the Status of Foreign Victims of Trafficking in Persons makes recommendations to the Ministry of the Interior aimed at remedying victims' situation and enabling them to reside and work in the Kingdom of Bahrain. Legal provisions are applicable in this regard, particularly the principle of non-liability of victims for crimes perpetrated by means of exploitation.

123. The Ministry of the Interior, represented by the Trafficking in Persons and Protection of Public Morals Department, has also trained its staff in how to deal with such cases through intensive training courses and workshops and participation in meetings, conferences and seminars.

124. The Kingdom of Bahrain reaffirms that it has adopted many measures at the international and national level aimed at combating trafficking in persons. It has acceded to a number of international instruments concerning the rights of the child, to the Convention against Transnational Organized Crime and its two supplementary protocols, and to other relevant conventions. **The following measures were taken by the Kingdom at the national level**:

- The National Committee to Combat Trafficking in Persons was restructured pursuant to Decree No. 7 of 2015. Its members include representatives of the Ministry of Foreign Affairs, the Ministry of the Interior, the Supreme Judicial Council, the Public Prosecutor's Office, the Ministry of Justice, Islamic Affairs and Religious Endowments, the Ministry of Labour and Social Development, and representatives of the Labour Market Regulatory Authority and human rights associations. It was restructured in 2017.
- A working group was formed from among the members of the National Committee to Combat Trafficking in Persons to develop a code of conduct and guidelines for dealing with victims of trafficking in persons. The Code has been prepared and published.
- The Committee issued a guide on referral to the shelter, which explains how victims should be identified and treated, and describes the proper and ethical approach to be adopted in interviews with victims. The authorities responsible for victims have also been specified.
- A legal guide on combating trafficking in persons based on international conventions and **Act No. 1 of 2008 on Combating Trafficking in Persons** was issued.

125. The Committee developed a strategy and action plan to combat trafficking in persons. The strategy focused on coordination between the National Committee and law enforcement agencies, support for victims of trafficking in persons, relevant bilateral and regional relations, awareness-raising and training. The following action was taken:

- Opening of a shelter for victims of trafficking in persons;
- Allocation of special places for male and female domestic and migrant workers;
- Allocation of special places for victims or persons subjected to human trafficking;
- Organization of a number of training courses for shelter staff on how to interact with victims of trafficking.

126. The Migrant Worker Shelter and Services Centre, which was established on 29 November 2015 pursuant to an initiative by the National Committee to Combat Trafficking in Persons and the Labour Market Regulatory Authority, is currently capable of accommodating about 120 cases and its capacity can be increased to about 200 cases. The Centre has been recognized by the United Nations as the first of its kind established in the Arab region to meet these requirements. It provides a range of integrated services (for men and women), including general and psychological health-care services, legal advice, social services and security protection services. The Centre also has a round-the-clock telephone hotline (995) in seven different languages.

127. The State's measures on behalf of migrant domestic workers include encouragement of social media youth initiatives aimed at repudiating inappropriate practices vis-à-vis domestic workers. In addition, awareness-raising pamphlets in 14 languages are circulated in order to provide information on the rights of migrant workers. Posters on the rights of women workers are regularly placed in the public transport system, a toll-free telephone line has been established for communication with women workers, and mobile phone credit services are provided to foreign workers upon their arrival at Bahrain Airport.

128. The competent authorities also receive complaints through a toll-free telephone line, provide psychological support, manage shelters for victims, and coordinate with embassies and foreign employment agencies on foreign victims in order to surmount the obstacles that they may encounter and establish what action can be taken to address their situation.

129. **Challenges and future measures: ensuring sustainable development**

- Continuous implementation of awareness-raising programmes for women migrant workers and provision of information on available services and facilities;
- Continuous organization and development of training and awareness-raising programmes for law enforcement personnel and persons who deal with migrant workers;
- Promotion of legal awareness-raising programmes on the risks of trafficking and specification of appropriate legal procedures.

V. Part II of the Convention: articles 7 to 9

A. Participation in political and public life

130. The Committee welcomed the initiatives undertaken by the Kingdom of Bahrain to encourage women's participation in leadership positions, and reiterated its previous recommendation to take measures, including temporary special measures, to increase the number of women in political and public life at all levels. The Committee recommended that the Kingdom promote women's access to leadership positions, especially in the parliament and local councils, and to decision-making positions. The Kingdom of Bahrain **reiterates and reaffirms** in this regard that Bahraini women have moved beyond the traditional stages of empowerment and are closely involved in the development process through the sustainable integration of relevant plans into the development process.

131. The Kingdom accords women the opportunity, on equal terms with men and without any discrimination, to represent the Kingdom at the international level and to participate in the work of United Nations international organizations and their organs, for example the World Trade Organization and the International Atomic Energy Agency. The female Undersecretary of the Ministry of Foreign Affairs assumes a wide range of responsibilities at the level of bilateral and multilateral international relations, and the Ministry has a high percentage of female employees serving as diplomats and administrators at the headquarters or in missions abroad.

132. With regard to the Committee's reiteration of its previous recommendation (CEDAW/C/BHR/CO/2, para. 29) to take measures, including temporary special measures, to increase the number of women in political and public life at all levels and in all areas, **the Kingdom of Bahrain reiterates and reaffirms** that the Constitution entitles Bahraini women to stand for election, to vote and to exercise their political rights. Article 1 (e) stipulates that: "Citizens, both men and women, are entitled to participate in public affairs and shall enjoy political rights, including the right to vote and to stand for election, in accordance with this Constitution and the conditions and principles laid down by law. No citizen may be deprived, except by law, of the right to vote or to stand for election."

133. The Kingdom of Bahrain also reiterates its position regarding quotas. The Constitution of the Kingdom of Bahrain stipulates that men and women are equally entitled to participate in political and public life, and the practical situation underscores the fact that women do not require such a quota system, since Bahraini women have secured access, by virtue of their competence, to membership of the Council of Representatives and the Municipal Council and have proved, in terms of numbers, their successful access to leadership and decision-making positions in diverse legislative, executive and judicial authorities and in private-sector institutions (see paras. 73 to 82).

134. Nevertheless, the Supreme Council for Women continues to implement a political participation programme on behalf of Bahraini women and steps up its programmes during each pre-electoral cycle. The procedure was launched during the preparations for the 2002 elections. A series of field trips and visits by the Supreme Council for Women to mosques and gatherings in all governorates led to an increase of 48 per cent in women's participation in the elections.

135. The Supreme Council for Women launched activities under the Political Participation and Electoral Preparedness Programme for Bahraini women by holding an extensive consultative meeting, during which the general framework for the period (2016–2018) was discussed in the presence of a number of members of the Shura Council and Council of Representatives, representatives of relevant judicial, official

and civil institutions, experts, writers, specialists, media professionals and other stakeholders.

136. The new version of the Programme is based on more effective procedures for strengthening and galvanizing partnerships and alliances with relevant executive authorities and research and training centres, attracting national experts in various legal and legislative areas and representatives of the political media, and highlighting the positive impact of the participation of women in public affairs, particularly the legislature. The programme also seeks to shed light on women's role as a key partner in policymaking, in reviewing and developing domestic legislation through their political participation, in preparing candidates to compete in the parliamentary and municipal elections, and in ensuring access to decision-making positions through capacity-building and the development of electoral skills. The programme also targets women's support teams in the electoral campaigns, and all relevant social groups and civil society organizations, such as political and professional associations, societies of women and young people, and all media and social media outlets.

137. **Challenges and future measures: ensuring sustainable development**

- Measures to continue implementing the national framework for the integration of women's needs into the Government's programme of action;
- Boosting of the role of all parties involved in implementing the electoral preparedness programme for Bahraini women;
- Continuous implementation of national initiatives aimed at supporting women's participation in leadership and decision-making positions;
- Development of the role of equal opportunity committees in public-sector and private-sector institutions in order to ensure that successful women's practices and models are displayed in diverse contexts;
- Continuous promotion of procedures for cooperation and networking with all State authorities (the legislature, the executive and the judiciary) and private-sector institutions;
- Boosting of the role of relevant civil-society institutions as pressure groups supporting the presence and participation of women in political life and public affairs.

B. Allegations of women human rights defenders

138. The Kingdom of Bahrain wishes to point out that there are no so-called women human rights defenders but civil society institutions regulated by law. Citizens of both sexes have access to membership of the institutions and women activists exist in all areas related to development and humanitarian affairs.

139. The Government of the Kingdom has paid special attention to the allegations of some women that they were subjected to ill-treatment and intimidation by law enforcement personnel, to dismissals and suspensions, and to other forms of retribution such as detention and revocation of nationality. All necessary legislative and executive measures have been taken for the purposes of the investigation, including the measures listed below:

140. The General Secretariat for Grievances was established pursuant to Royal Decree No. 27 of 2012, which was amended by Royal Decree No. 35 of 2013. Bahrain thus became the first country in the region to establish an agency of this kind, which

is known internationally as an office of the ombudsman. It receives complaints against any employee of the Ministry of the Interior and joined the International Ombudsman Institute in September 2013. It was also awarded the Chaillot Prize for the Promotion of Human Rights in the Arab Gulf Region by the European Union in 2014.

141. The General Secretariat for Grievances is an independent agency in administrative and financial terms and is based in the Ministry of the Interior. It is tasked with ensuring compliance with the laws of the Kingdom, the professional standards of policing laid down in the Police Code of Conduct, and the administrative regulations governing the performance of civilian personnel within a general framework that comprises respect for human rights, consolidation of justice and the rule of law, and building public confidence. It exercises its authority and performs its functions in a fully independent manner when addressing complaints filed against military or civilian staff members of the Ministry of the Interior who commit an offence during or in connection with the performance of their duties.

142. In addition to the foregoing, the General Secretariat for Grievances is authorized to visit prisons, juvenile welfare centres, and pretrial and other detention facilities to investigate the legality of inmates' detention and to ensure that they are not subjected to torture or to inhuman or degrading treatment.

143. The Commission for the Rights of Prisoners and Detainees in the Kingdom of Bahrain was established pursuant to Royal Decree No. 61 of 2013 concerning the establishment and mandate of the Commission for the Rights of Prisoners and Detainees, which was promulgated on 2 September 2013. The preamble to the Decree states that it takes into consideration "the principles of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was adopted on 18 December 2002 by United Nations General Assembly resolution A/RES/57/199". The Commission monitors prisons, detention centres, welfare centres for juveniles and detainees, and other places where persons may be detained, such as hospitals and psychiatric clinics, in order to investigate the conditions of detention and the treatment received by inmates, and to ensure that they are not subjected to torture or to inhuman or degrading treatment.

144. With regard to the allegations of some women concerning their detention, they were in fact found guilty of criminal offences following due process of law and a fair trial, during which they enjoyed the safeguards guaranteed by law.

145. With regard to the withdrawal or revocation of nationality, this measure is taken pursuant to a judicial ruling in cases to which the provisions of the law governing withdrawal of nationality are applicable (Act No. 21 of 2014 amending certain provisions of the 1963 Bahraini Nationality Act), in particular when persons are convicted of terrorist offences, of jeopardizing the security of the Kingdom of Bahrain, or of committing the offences defined in articles 5, 6, 7, 8, 9, 12 and 16 of the Act on the Protection of Society from Terrorist Acts.

146. With regard to the allegation that some women were subjected to ill-treatment and intimidation by law enforcement officers, the Kingdom of Bahrain has taken vigorous steps to safeguard parties' rights and freedoms, to prevent any violation of such rights and to prosecute those who dare to violate them, even if they are law enforcement officers. The Special Investigation Unit was established for the purpose pursuant to Attorney General Decision No. 8 of 2012. It is an independent Unit tasked with investigating and prosecuting any offences of torture, abuse and ill-treatment perpetrated by government officials in light of international standards, in particular the provisions of the Istanbul Protocol on the investigation and documentation of torture. It relies on the support of forensic physicians, psychologists and social experts and on all the human and material resources required to ensure the effective, efficient and independent performance of its functions.

147. Women have not been subjected to expulsion, suspension, downgrading of their professional positions, dismissal from employment, detention or revocation of nationality solely on the basis of their civil engagement. Such acts require a judicial ruling based on legal provisions. The Kingdom of Bahrain accords individuals the freedom to express their opinion, and all citizens are free to establish associations so that women are represented in the National Consensus Dialogue. Thanks to action aimed at promoting their involvement, women now account for 25 per cent of participants in the Dialogue.

148. The General Directorate of the Women's Police Force and the General Directorate for Reform and Rehabilitation organize special theoretical and practical training courses for their staff, in cooperation with local and international organizations that specialize in training courses on human rights and on how to deal with inmates and promote their rehabilitation and reform.

149. **Challenges and future measures: ensuring sustainability of development:**

- Continuous supervision of law enforcement personnel by the competent authorities, in accordance with the procedures prescribed by law;
- Continuous organization of training programmes for judges, prosecutors and law enforcement personnel;
- Continuous commitment on the part of the Kingdom to human rights and freedoms based on fundamental legal standards in the field of criminal justice, which are in line with applicable international norms.

C. Civil society and non-governmental organizations

150. The Kingdom of Bahrain has a long-standing history of women's involvement in voluntary work. Initiatives leading to the establishment of women's associations date back to the 1950s. The first women's club was established in 1953 and the first women's association was established in 1955. The subsequent formation of women's associations was followed by the announcement of the establishment of the Bahrain Women Union in 2006. Institutional involvement in voluntary women's activities continued and in 2010 Bahraini Women's Day highlighted the theme of women in volunteer work. There are 20 women's associations in the Kingdom of Bahrain as well as 4 childhood and young women's associations whose board members are women. They are all registered with the Ministry of Labour and Social Development.

151. With regard to requests for international funding through the Ministry of the Interior, article 9 of Legislative Decree No. 21 of 2013 issued by the Prime Minister on 31 July 2013, **which regulates fundraising for general purposes, stipulates that the authorized person may not transfer any funds raised to a person or entity outside the Kingdom except with the approval of the Minister concerned and in accordance with the procedures specified by the implementing regulations**. Donations from outside the Kingdom may be accepted only if such action is permitted by the licence.

152. Chapter 4 of Decision No. 47 of 2014 containing the implementing regulations of Legislative Decree No. 21 of 2013 on the regulation of fundraising for general purposes deals with "the control and verification of items of expenditure and the rules governing acceptance of donations".

153. **The Kingdom of Bahrain reiterates** its commitment to international norms aimed at combating money-laundering and the financing of terrorism, in accordance

with recommendation 8 of the Financial Action Task Force (FATF), which seeks to protect non-profit organizations from exploitation for purposes of money laundering and the financing of terrorism. The reinforcement measures include the requirement of coordination with the Economic Crime Department of the Ministry of the Interior. As Bahrain is committed to action in this regard, contacts are maintained with the competent authorities in order to develop an effective mechanism.

154. With regard to the statement in the Committee's concluding observations that women's freedom of association is hindered by lengthy registration procedures and excessive supervision, article 18 of Legislative Decree No. 21 of 1989 promulgating the Act on Social and Cultural Associations and Clubs, Private Organizations Working in the Field of Youth and Sports and Private Institutions stipulates that **the association may not engage in politics**, nor may the association engage in financial speculation. It is thus clear from **article 18 of the aforementioned Legislative Decree that the prohibition is not confined to women's associations but is applicable to all social and cultural associations and clubs mentioned in the Legislative Decree**. With regard to political associations, it is well known that women in the Kingdom of Bahrain enjoy freedom under the law to engage in politics. **Pursuant to Act No. 26 of 2005, women are entitled to apply for registration of a political association or to apply for membership of such an association**. Men and women thus enjoy the right to establish political associations and women are not prohibited from doing so. Article 1 stipulates that: "Citizens — men and women — shall have the right to establish political associations, and each citizen shall have the right to join any association, in accordance with the provisions of this Act."

155. With regard to **the Committee's observation that the Parliament was contemplating the revision of the draft law on civil society organizations and institutions**, the amendments to the law are still being studied pending reconsideration by the legislature.

156. With regard to the steps that the Committee recommends should be taken in this regard, the existing legislation applicable to civil society associations and institutions guarantees their enjoyment of the rights in question.

157. **Challenges and future measures: ensuring sustainability of development:**

- Action to expedite the adoption of amendments to the bill on civil society organizations and institutions;
- Continuous awareness-raising and building of the capacity of members of civil society institutions to implement their developmental and awareness-raising roles, thereby contributing to the development of a community culture in support of women.

D. Nationality

158. The Bahraini Nationality Act stipulates that citizenship shall be granted to the children of Bahraini women in cases specified in article 4 of the Act. Article 4 (b) stipulates that: "A person shall be considered to be Bahraini if he or she was born in Bahrain or abroad, and his or her mother was Bahraini at the time of birth, provided that the father is unknown or fatherhood has not been substantiated." The aim is to prevent cases of statelessness among children, and this provision demonstrates beyond doubt that Bahraini law is not based on nationality provisions that discriminate on any grounds against women. On the contrary, the rules on which nationality legislation is based are consistent with the principles enshrined in

international law. They may be summarized as requiring the preservation of State sovereignty, the prevention of statelessness, since all persons are entitled to a nationality, and the prevention and regulation of the phenomenon of dual nationality, which can arise when nationality is granted to the children of Bahraini women without applying any restrictions or standards, since children automatically acquire their father's nationality inasmuch as nationality legislation, as well as other laws, recognize blood affiliation to the father as the basis for acquiring nationality.

159. Accordingly, the proposed amendment to the Nationality Act, which was approved and submitted to the legislature pursuant to a decision adopted by the Council of Ministers on 11 January 2014, and is currently being discussed by the legislature, permits children of a Bahraini woman married to a foreigner to obtain Bahraini citizenship pursuant to rules that respect the Constitution, safeguard the State's sovereignty and take into account the principles on which the legislation governing nationality is based. As it establishes a legal and political link between the State and the individual, the State is obliged to guarantee the rights of the individual, and the individual owes it allegiance and affiliation in return.

160. Pending adoption of the amendment to the Nationality Act, temporary measures are being taken to assimilate the legal status of foreign children of Bahraini women to that of children of Bahraini men, taking into account concluding observation No. 34, adopted by the Committee following the dialogue on the third report of the Kingdom of Bahrain, concerning the draft amendment to the Nationality Act and related matters. The following paragraphs describe the temporary measures taken in this regard, which are based on the Council of Ministers' proposal concerning the amendment to the Nationality Act.

- The Supreme Council for Women monitors applications for citizenship on behalf of children of Bahraini women married to non-Bahrainis in the context of the Joint Committee of representatives of the Council of Ministers, the Royal Court and the Ministry of the Interior. Citizenship has been granted during the past 10 years to about 4,000 sons and daughters pursuant to Royal Decrees.

- Steps are taken to simplify procedures for issuing visas for children to enter the Kingdom of Bahrain, procedures for issuing residence permits for a lengthy period to non-resident children who wish to visit the Kingdom, and procedures for issuing travel documents for a specific period in special cases, for instance on behalf of children travelling abroad to study or receive treatment.

- Children of Bahraini women married to non-Bahrainis are treated on equal terms with Bahraini nationals in respect of certain fees for government health and educational services and for residency, pursuant to Act No. 35 of 2009.

- Act No. 22 of 2017 amending article 2 of Act No. 74 of 2006 concerning the welfare, rehabilitation and employment of persons with disabilities was enacted in order to permit children with disabilities of Bahraini women married to foreigners to have access to the benefits, welfare and facilities established by the Act for Bahrainis with disabilities.

- Additional measures were adopted by the Ministry of Education, such as treatment of students in the same way as Bahraini students in terms of university tuition fees and exemption from fees for students from low-income families. The Bahrain Training Institute of the Ministry of Education also decided that the children of Bahraini women married to non-Bahrainis should be treated in the same way as Bahrainis in terms of subsidized fees for regular national diploma programmes.

- The Ministry of Justice, Islamic Affairs and Religious Endowments issued Decree No. 59 of 2008 amending some provisions of the internal regulations

governing the Alimony Fund adopted by Decree No. 44 of 2007. It authorizes the children of Bahraini women married to non-Bahrainis to benefit from the Fund, provided that they reside permanently in the Kingdom of Bahrain. The Fund assesses the circumstances on a case-by-case basis.

161. With regard to the fact that the children of a Bahraini mother married to a foreigner are not automatically granted her nationality and that she is required to submit a request for transfer of her nationality through a royal decree, it should be noted that these are regulatory measures designed primarily to ensure that the children have no other nationality in order to prevent an increase in the number of persons with multiple citizenship and to ensure respect for the will of individuals.

162. Further to the foregoing and concluding observation No. 34, adopted by the Committee following its consideration of the third report of the Kingdom of Bahrain, recommending that the necessary steps be taken to expedite the adoption of the amendments to the Nationality Act in order to bring it into compliance with article 9 of the Convention and to withdraw the reservation to article 9 (2), and further to the Committee's observations following its discussion of the written information provided by the Kingdom concerning concluding observation No. 34, **we wish to reaffirm** that the Supreme Council for Women in the Kingdom of Bahrain has accorded high priority since its establishment to amendment of the provisions of the Nationality Act concerning the granting of Bahraini nationality to the children of Bahraini women married to foreigners in order to enhance the status of Bahraini women. In this context, the Council recently submitted its views to the Council of Representatives concerning a proposal to add a new article 6 bis to the 1963 Bahraini Nationality Act. The new article would contain the same content as the bill referred to above concerning the granting of citizenship to the children of Bahraini women married to non-Bahrainis, on the basis of objective rules and criteria that preserve the rights of people belonging to that category and are consistent with the principle of State sovereignty.

163. With regard to the Committee's expression of concern regarding the possibility that children of Bahraini women married to foreigners may become stateless, this situation could arise if the legislation applicable to the foreign spouse fails to enshrine the father's right to invoke *jus sanguinis*. It is therefore inconceivable, since the legislation of all countries takes the father's blood affiliation into account when granting nationality. The legislation varies, on the other hand, when it comes to adopting rules governing the mother's right to invoke *jus sanguinis*, rules governing *jus soli* or rules governing the right to acquire nationality through marriage. Hence, the sons of Bahraini women married to foreigners have the nationality of their foreign fathers.

164. The Kingdom of Bahrain has observer status at the International Organization for Migration (IOM) and an IOM office has been opened in the Kingdom. The possibility of acceding to international instruments dealing with the situation of stateless persons, including the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, is being considered in order to determine whether accession is consistent with the status and sovereignty of the Kingdom of Bahrain and its obligations as a member of the Cooperation Council for the Arab States of the Gulf.

165. **Challenges and future measures: ensuring sustainable development**

- Action by the legislature to amend the Nationality Act in order to support the granting of citizenship to the children of Bahraini women married to foreigners,

in accordance with objective rules and standards that respect the Constitution and safeguard State sovereignty;

- Adoption of further legal measures on behalf of the children of Bahraini women married to foreigners.

VI. Part III of the Convention: articles 10 to 16

A. Education

166. With regard to the need for coordinated measures to further diversify the educational and vocational options available to girls and boys, the National Labour Charter and the Constitution guarantee women full citizenship and this is reflected in all fields, particularly education. Academic and technical educational opportunities are available on an equal basis to both genders. In 2015 the Minister of Education issued Decree No. 477/MN/2015 concerning admission and enrolment at the Bahrain Training Institute, which offers many non-traditional, industrial and professional disciplines to both genders on an equal basis.

167. The Bahrain Training Institute, which provides specialized post-school technical and vocational education, has never differentiated in its admission policies between females and males, but has maintained an open door to enrolment in all disciplines. For example, the diploma in automotive engineering was previously reserved for male applicants. However, the door of admission was then opened to both females and males. In 2016 the first female trainee was enrolled in the course, and the door remains open for enrolment. (For further details see annex 4.)

168. In the academic year 2015/16, the female enrolment ratio for scientific courses was higher than the male enrolment ratio. Females accounted for 53.8 per cent of students enrolled in chemical engineering and males for 46.2 per cent. An equal number of males and females, 50 per cent each, enrolled in the programme leading to an advanced diploma in agriculture. In the technical field, the female enrolment ratio for the advanced national diploma programme in computer programming and software development exceeded the male enrolment ratio by 90 per cent to 10 per cent. The ratios for the course in arts and three-dimensional design stood at 81.3 per cent for females and 18.7 per cent for males, and the ratio for courses in arts and graphic design stood at 71.8 per cent for females and 28.2 per cent for males.

169. In the academic year 2016/17, the female enrolment ratio in the agricultural programme rose from 50 per cent to 100 per cent, and the female enrolment ratio for the interior design programme rose from 64.3 per cent in the previous academic year to 80 per cent. In addition, females achieved a higher enrolment ratio than males for the advanced diploma in arts and three-dimensional design. The ratio was 77.4 per cent for females and 22.6 per cent for males. The female enrolment ratio for the advanced national diploma programme in computer programming and software development was 58.3 per cent, while the male enrolment ratio was 41.7 per cent.

170. The quantity surveying programme is a key programme with low enrolment rates for both genders. However, as a result of measures taken to encourage young people to enrol in such programmes, a significant increase in enrolment has been recorded, leading to a female enrolment ratio of 71.4 per cent and a male enrolment ratio of 28.6 per cent.

171. **Challenges and future measures: ensuring sustainable development**

- Continuous support for awareness-raising programmes and highlighting of special fields of study in vocational and technical education for secondary school students as well as promising employment opportunities;
- Diversification and development of vocational guidance mechanisms for students and parents on future scientific and professional disciplines.

B. Employment

172. The Kingdom of Bahrain has adopted a number of measures **aimed at bridging the wage gap between men and women** and guaranteeing equal remuneration. Article 39 of the Labour Code for the Private Sector promulgated in 2012 prohibits wage discrimination on grounds of sex, origin, language, religion or belief. In addition, the Kingdom of Bahrain has acceded to a number of international conventions that reaffirm the right of women and men to equal pay for equal work, including the International Covenant on Economic, Social and Cultural Rights, and Arab Convention No. 15 of 1983 concerning the determination and protection of wages, which stipulates that working women should be paid the same wages as men for equal work.

173. We wish to reiterate that the Kingdom of Bahrain **was ranked first in the Gulf region** in terms of closure of the gender pay gap for equal work and in terms of the estimated earned income index, according to the **World Economic Forum's Global Gender Gap Report for 2017**.

174. With regard to public-sector employees, Legislative Decree No. 48 of 2010 promulgating the Civil Service Act, Prime Ministerial Decree No. 51 of 2012 issuing the implementing regulations for the Civil Service Act promulgated by Legislative Decree No. 48 of 2010 and the amendments thereto, and Prime Ministerial Decree No. 77 of 2013 promulgating the regulations governing the wages, employment benefits and eligibility criteria for employees subject to the Civil Service Act, do not differentiate between men and women in all circumstances, but grant women some benefits that are not granted to men on physiological grounds, such as maternity leave, lactation periods, childcare leave, leave during the *iddah* period (period following the death of her husband during which a widow may not remarry) and leave on other occasions.

175. With regard to ratification of the Equal Remuneration Convention, 1951 (No. 100), article 39 of Labour Code No. 36 of 2017 prohibits wage discrimination on grounds of sex, origin, language, religion or belief.

176. With regard to the enactment of **legislation criminalizing all forms of sexual harassment** in the workplace and measures to ensure the enforcement of its provisions, the Bahraini Criminal Code contains general provisions that criminalize sexual harassment both in the workplace and elsewhere. It prescribes penalties for all types of harassment to which victims may be subjected, regardless of whether they are women or men, such as rape, violation of a person's honour, perpetration of obscene acts, or violation of a woman's modesty.

- Article 344 of the Criminal Code stipulates that: "Anyone who has sexual intercourse with a woman without her consent shall be sentenced to life imprisonment. The penalty shall be a death sentence or life imprisonment if the victim is under 16 years of age. The victim's lack of consent shall be presumed if she is under 14 years of age."

- Article 345 stipulates that: "Anyone who has sexual intercourse with a female who is over 16 years of age and under 21 years of age, with her consent, shall be sentenced to a maximum term of imprisonment of 10 years."
- Article 346 stipulates that: "Anyone who violates a person's honour against the person's will shall be sentenced to a maximum term of imprisonment of 10 years. The person shall be sentenced to a term of imprisonment if the victim is under 16 years of age. The victim's lack of consent shall be presumed if the victim is under 14 years of age."
- Article 347 stipulates that: "Anyone who violates the honour of a person who is over 14 and under 21 years of age, with the person's consent, shall be sentenced to a term of imprisonment."

177. **Article 348 stipulates that: "The following shall be deemed to be aggravating circumstances in the case of the offences defined in the preceding articles of this chapter**:

1. If the perpetrator is an ascendant, a guardian, a tutor, a person with authority over the victim, or a servant in the victim's home or the home of any of the aforesaid persons;

2. If the perpetrator is a public servant or an officer entrusted with a public service, a clergyman, a medical practitioner or an assistant of any of the aforesaid persons and exploits his office or profession or the trust placed in him;

3. If the offence is jointly committed by two or more persons who cooperate in overpowering the victim or take turns in committing the offence;

4. If the victim contracts a sexually transmitted disease as a result of the offence;

5. If the victim becomes pregnant or loses her virginity as a result of the offence."

- Article 349 stipulates that: "The death penalty shall be imposed if the offences defined in article 344 result in the victim's death. The punishment shall be a death penalty or life imprisonment if the offences defined in articles 345 and 346 of this Act result in the victim's death."
- Article 350 stipulates that: "Anyone who commits an indecent act in public shall be sentenced to a term of imprisonment not exceeding one year or to a fine not exceeding 100 dinars (BD). Anyone who commits an indecent act with a female shall be liable to the same penalty even if the act is not committed in public."
- Article 351 stipulates that: "Anyone who violates a woman's modesty, by word or deed, on a public road or in a much-frequented location shall be sentenced to a term of imprisonment not exceeding three months or a fine not exceeding BD 20. If the said act is committed by telephone, the same penalty shall be applicable."

178. In addition, the Labour Code for the Private Sector No. 36 of 2012 contains a provision which stipulates that a worker may terminate an employment contract without notice, and that such termination shall be deemed to constitute arbitrary dismissal on the part of the employer for which compensation is required, in the event of an assault by the employer or his representative against the worker during or in connection with the performance of his duties by a word or deed that is punishable by law, or if the employer or his representative commits an act that is deemed to be immoral against the worker or a member of his family.

179. The Bahraini legislature has also enacted provisions in other legislation that prescribe penalties for cases of sexual harassment by word or deed in the workplace, such as the implementing regulations for the Civil Service Act promulgated by Prime Ministerial Decree No. 51 of 2012, and the Human Resources Regulations of the Constitutional Court, which were promulgated pursuant to Decree No. 22 of 2016 issued by the President of the Constitutional Court.

180. With regard to measures to ensure that ministerial decisions **placing restrictions on women's work concern only pregnancy and maternity protection** and do not perpetuate occupational segregation or stereotypes regarding the roles and capabilities of women, it should be noted that Decree No. 23 issued by the Minister of Labour in 2013 concerning work for which women may not be employed specified the following two categories: (i) work that is not physiologically appropriate for women; and (ii) work for which pregnant women may not be employed in order to maintain their safety and that of the fetus. This approach is consistent with international standards and relevant conventions, in particular Convention No. 89 concerning Night Work of Women Employed in Industry adopted in San Francisco on 9 July 1948. The Decree underscores that occupational segregation of men and women and stereotypes regarding women's roles and capabilities should not be perpetuated.

181. In 2000 the Kingdom of Bahrain ratified the Convention concerning Discrimination in Respect of Employment and Occupation, 1958 (No. 111), which rejects any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

182. Article 29 of the Labour Code for the Private Sector No. 36 of 2012 stipulates that all provisions governing the employment of workers shall be applicable to women without discrimination where their employment conditions are similar. Article 33 prohibits employers from dismissing a female worker or terminating her employment contract owing to marriage or during maternity leave.

183. **Challenges and future measures: ensuring sustainable development**

- Measures to continue implementing the national framework for the integration of women's needs into the Government's programme of action;
- Measures to continue promoting the role of equal opportunity committees in public-sector and private-sector institutions;
- Continuous raising of awareness among employers of the importance of applying the principle of equality of opportunity in recruitment, promotion, training and other activities.

C. Expatriate workers

184. Following the dialogue concerning the third report of the Kingdom of Bahrain, the Committee recommended, in paragraph 40 of the concluding observations, that the Kingdom take all appropriate measures to expedite the adoption of the draft Labour Code and to ensure that it covers all migrant domestic workers, and to strengthen the State's efforts to ensure that migrant domestic workers have adequate legal protection, are aware of their rights and have access to legal aid. **The Kingdom of Bahrain reiterates that there are no so-called migrant workers in the**

Kingdom. There are, however, expatriate workers. The following should be noted in this connection:

- Article 2 (b) of the Labour Code for the Private Sector No. 36 of 2012 stipulates that: "The provisions of this Act, except for the provisions contained in articles 6, 19, 20, 21, 37, 38, 40, 48, 49, 58, 116, 183 and 185 and in chapters XII and XIII, shall not be applicable to the following persons: 1. Domestic workers and persons regarded as such, namely gardeners, home security guards, childminders, drivers and cooks, who perform their duties on behalf of an employer or his relatives; 2. An employer's family members who are actually supported by him, namely the husband, wife, ascendants and descendants."
- Accordingly, the articles referred to in article 2 (b) of the Kingdom of Bahrain's Labour Code for the Private Sector No. 36 of 2012 are applicable to domestic workers and persons regarded as such. They are deemed to be the most important provisions affecting domestic workers and deal with the composition and registration of labour contracts, and measures to ensure that the contracts guarantee the rights of domestic workers and other groups to which the provisions are applicable, including wages, leave and compensation for termination of service.

185. The Labour Code for the Private Sector that is currently in force contains regulations and measures concerning domestic workers that address two of the most important employment issues affecting them. The first concerns disputes with their employer. The Code permits them to request the Ministry of Labour and Social Development to seek an amicable settlement of the dispute. The second requires the employer to cover the costs of the return of the domestic worker to the destination specified in the employment contract, the destination of the signatory, the destination from which it was submitted or the country of which she is a national. **The Ministry of Labour and Social Development has not received any complaints from domestic workers requesting it to take action to resolve a dispute.**

186. With regard to the terms of employment contracts for expatriate workers and the Committee's concern that they are set by employers, it should be stressed that employment contracts (including their terms and conditions) are administered by the workers' embassies and not by the employers. The embassies endeavour to ensure that the employees are guaranteed the best possible wages and conditions in their employment contracts.

187. With regard to measures to support and protect expatriate women domestic workers from violence, abuse and exploitation, it should be noted that they enjoy the same protection under the Bahraini Criminal Code as Bahraini male and female workers. They are also protected by the National Strategy to Combat Trafficking for Forced Labour and/or Sexual Exploitation, which provides for criminal justice measures to prosecute and punish traffickers and to protect and rehabilitate victims.

188. There are shelters for victims of exploitation and abuse and they have access, if necessary, to legal aid and technical support and protection. The means for reporting such practices are available to all and victims are provided with the necessary guarantees.

189. The Committee recommended that violent, abusive and exploitative employers and recruitment agents should be prosecuted and sentenced. **The Kingdom of Bahrain reiterates** that the Criminal Code is applicable to all perpetrators of violence in the workplace or in other locations, and several articles criminalize acts of violence perpetrated against a person's right to employment as well as the use of forced labour. For example, article 302 of the Criminal Code stipulates that: "Any person who resorts to force, threats or unlawful means in order to violate or in an attempt to

violate other persons' right to employment, or their right to employ or to refrain from employing any person, shall be liable to a term of imprisonment not exceeding two years. This article shall also be applicable if the aforesaid methods are used against the spouse or children of the person in question. The following acts are deemed to constitute unlawful means:

- Following the person in question wherever he goes or adopting a threatening position against him near his residence or in the vicinity of any other place where he lives or works;
- Preventing him from performing his duties by concealing his tools, clothes or any other relevant item or by resorting to any other means;
- The aforesaid penalties shall be applicable to anyone who incites others to perpetrate one of the offences defined in this article."

Article 302 bis of the Criminal Code stipulates that: "Without prejudice to the provisions of article 198, any person who uses forced labour or unjustifiably withholds all or part of a person's wages shall be liable to imprisonment and/or a fine."

Furthermore, the Labour Code for the Private Sector No. 36 of 2012 prescribes a number of penalties for violation of its provisions. Criminal proceedings have been instituted against perpetrators of violations, and sentences have been handed down against them.

190. **Challenges and future measures: ensuring sustainable development**

- Continuous implementation of awareness-raising programmes on the rights of expatriate workers and on access to justice to defend their rights;
- Continuous measures to promote the rights of expatriate workers and domestic workers;
- Electronic networking with all competent agencies and ministries, such as Takatuf, in order to produce statistics concerning violence.

D. Health

191. Following the dialogue concerning the third report of the Kingdom of Bahrain, the Committee recommended, in paragraph 41 of the concluding observations, that the State take appropriate measures to ensure that women have access to a caesarean section and medical treatment without the consent or permission of any other person, including their husband. We wish to reiterate in this regard that a husband's consent is not required for his wife to undergo any operation, including a caesarean section, and that the only consent required is that of the woman herself. The Ministry of Health has adopted a clear-cut procedural policy in this regard. The details have been circulated to all health-care workers and posted on its internal website.

192. With regard to the recommendation to take appropriate measures to ensure that female migrant workers have access to free emergency medical services, **the Kingdom of Bahrain** reiterates that there are no so-called migrant workers in Bahrain. In any case, a bill on health insurance that is currently being discussed by the legislature contains several provisions that guarantee access for foreigners to emergency medical services free of charge. Employers are also required to ensure that foreign employees have access to mandatory health insurance services.

193. Articles 321 to 323 of the Criminal Code permit abortion under medical supervision in specific cases. The regulations governing the medical profession permit physicians to perform an abortion when it is necessary to save a woman's life.

194. **Challenges and future measures: ensuring sustainable development**

- Steps to enact the law on health insurance;
- Continuous implementation of awareness-raising programmes and workshops for employers, workers and competent authorities on the health-care rights of expatriate workers, including female workers.

E. Marriage and family relations

195. Acting in accordance with the voluntary commitments of the Kingdom of Bahrain during the discussion of the previous report and with international laws and treaties concerning the family and women, primarily the Convention on the Elimination of All Forms of Discrimination against Women, the King of Bahrain ratified Act No. 19 of 2017 on the Family Code, which regulates family relations. It was promulgated in issue No. 3323 of the Official Gazette on 20 July 2017 and replaces the Family Provisions Act (Section 1) promulgated in 2009. The Code contains provisions aimed at standardizing the legal status of the Bahraini family, facilitating litigation, and terminating disparities in judgments handed down in similar cases. The Code was enacted following a number of procedural steps. It was drafted by the legislature, submitted to the competent Sharia Committee, passed through the constitutional channels of the legislature for adoption and finally ratified by the King of the Kingdom of Bahrain.

196. The Family Code of 2017, which contains 141 articles rooted in the provisions of Islamic sharia, regulates family life from engagement to marriage. It clearly sets forth the rights and duties of both parties with respect to maintenance, custody, guardianship, filiation, separation if marital life comes to an end, divorce proceedings and the rights and duties that arise following separation. The Code also includes clear provisions that permit divorce on grounds of harm of any kind and termination of married life via *khul'* (divorce at the instance of the wife) or annulment of contract.

197. By promulgating the Code, the Kingdom of Bahrain joined the list of countries that regulate personal status within the family by means of legislation that provides comprehensive legal protection and specifies the rights and duties of all parties. It also seeks to guarantee that fair and impartial judicial decisions are handed down in a manner that protects the interests of all members of the same family.

198. Further significant legislative amendments adopted recently by the Kingdom of Bahrain in this regard include those affecting the Court of Cassation Act (Legislative Decree No. 23 of 2015) and the Judiciary Act. They paved the way for appeals before the Court of Cassation against judgments issued by sharia courts and provided for greater oversight and transparency in judicial proceedings and judgments. They thus enhanced the legal status of litigants and provided additional opportunities to guarantee rights and ensure justice.

199. Pursuant to an order by the King of the Kingdom of Bahrain, an independent building has been reserved for family courts and it was inaugurated in September 2017. The building serves as an appropriate judicial environment for Bahraini families. It takes into account the confidentiality of family issues and the circumstances of families and their children during family disputes. The building

accommodates all existing services on behalf of women, in particular the Family Reconciliation Office, the Alimony Fund, the family dispute courts and the Family Action Court, and thus constitutes a qualitative step forward in the development of the judicial system in Bahrain.

200. Inheritance is regulated by sharia law. With a view to respecting denominations and beliefs, the inheritance of Muslims depends, in the case of citizens and residents of the Kingdom of Bahrain, on the denomination of the person concerned and not on his or her gender. In the case of non-Muslims, the civil courts apply their provisions in accordance with the persons' religion and, at their request, in accordance with the legislation of the State of which they are nationals. Bahraini law also guarantees women the right to all types of property, and enshrines the principle of the wife's financial independence and her separation from her husband's financial responsibility. The husband is not entitled to dispose of, benefit from or use his wife's money save in accordance with her will and consent, nor may the wife's assets be used to pay her husband's debts.

201. With regard to the recommendation to raise the minimum age of marriage for girls to 18 years, in line with that for boys, the Family Code sets the age of marriage at 16 years and article 12 of Decree No. 1 of 2016 (applicable to both religious denominations), which contains the list of legally authorized persons, stipulates that the marriage contract and its documentation shall be issued provided that the spouses (both male and female) are not under 16 years of age at the time of their issuance. The law does not permit the marriage of persons under 16 years of age save in response to a request from the concerned parties and on obtaining permission from the competent family courts following an investigation of the appropriateness of the marriage. (This is deemed to be consistent with the Children's Code promulgated by Act No. 37 of 2012, article 4 of which defines a child as someone whose age, as a general principle, is not less than 18 full calendar years. Special laws governing persons under the age of 18 years constitute an exception.) It should be noted that, in practice, the average age of marriage is 24 years for females in Bahrain.

202. **The Kingdom of Bahrain reiterates** that polygamy is governed by the Islamic sharia, in accordance with the applicable sharia rules and regulations. Bahraini lawmakers addressed the sharia rules in the Family Code. Husbands are required to declare their marital status in the marriage contract and, if a man is already married, he must state the number of wives that he has (article 19 of the Family Code). The woman thus knows before she marries whether the man already has a wife. This has contributed greatly to the decline in polygamous marriages, of which there are in fact very few, since women are frequently reluctant to marry in such cases. In addition, the wife may stipulate in the marriage contract her right to divorce if her husband marries someone else, or may impose the condition that he should not marry another woman. If he violates that condition, she is entitled to annul the contract or divorce her husband (article 6 of the Family Code).

203. With regard to the recommendation to reassess the reservations to articles 15 (4) and 16 of the Convention with a view to their withdrawal, the legislature adopted Legislative Decree No. 70 of 2014 amending some provisions of Legislative Decree No. 5 of 2002 approving accession to the Convention on the Elimination of All Forms of Discrimination against Women. It contains amendments to the wording of the reservations to the Convention and adds a new article stipulating that: "The Kingdom of Bahrain is committed to implementing the provisions of articles 2, 15 (4) and 16 of the Convention on the Elimination of All Forms of Discrimination against Women, without prejudice to the provisions of the Islamic sharia."

204. **Challenges and future measures: ensuring sustainable development**

- Continuous implementation of the Family Code;
- Continuous implementation of training programmes for the judiciary and law enforcement officers on the provisions of the Family Code;
- Measures to include legislation relating to the Family Code and family reconciliation in academic curricula.

F. Economic consequences of divorce

205. With regard to the economic impact of marriage and divorce, it should first be noted that the wife's economic rights are protected during marriage and following separation from her husband. The Family Code recognizes the dowry as a right concerning which women may act as they wish (art. 31), and it stipulates that if a woman does not receive the dowry immediately after her marriage, her husband remains responsible for its transfer (art. 33). The wife is not required to provide any material for the marital home and if she provides any material, it is deemed to be her property (art. 36 (a)) and is returned to her if the marriage is terminated. Women's full economic rights are reserved for them under the Family Code. Women thus retain after a divorce the funds and property that they possessed prior to marriage or that they acquired during their married life. Moreover, they have the right to all kinds of maintenance and the right to housing or to rented accommodation (arts. 53 and 88–92). In the event of a divorce, marital life may be terminated amicably by mutual agreement of the spouses. Alternatively, a divorce may be requested by the wife before a judge if the husband refuses to end marital life obstinately and in a manner that harms the woman. In such cases, the woman is required to pay appropriate compensation to the husband, on condition that the sum paid does not exceed the value of the dowry (art. 95). In any case, it is not permissible for a woman to renounce the custody of her children, their maintenance or any of their rights in exchange for *khul'* (divorce at the wife's instance). It should also be noted that the financial rights of the wife and divorced woman are deemed to be privileged debts which must be given priority over other debts during the enforcement of judgments.

206. Legislative Decree No. 22 of 2015 amending certain provisions of the Code of Family Court Procedure, which was promulgated by Legislative Decree No. 26 of 1986, and Decree No. 84 of 2015 of the Ministry of Justice, Islamic Affairs and Religious Endowments concerning the formation of the Family Reconciliation Office, which provides for the referral of family disputes to the Family Reconciliation Office prior to their submission to the family courts, allow women to reach an amicable settlement of disputes with their husbands by agreeing on economic and other issues or by terminating the dispute through reconciliation, thereby contributing to family stability.

207. With regard to the adoption of legislative measures to remedy the potentially adverse effects of existing rules concerning property distribution and ownership, it should be noted that each spouse is financially independent. Hence there is no need for special legislation concerning the distribution of property between spouses, since they retain their own property. The husband may not assume control of his wife's property. Furthermore, pursuant to the Bahraini law of evidence in civil and commercial matters, the marital relationship is deemed to be a moral impediment to the provision of written evidence. The wife is thus exempted from providing written evidence to prove the existence of a civil debt vis-à-vis her husband, and this facilitates the process of proving the existence by other forms of evidence, including

testimony and circumstantial evidence, of a husband's debt to his wife accumulated during their marital life.

208. Furthermore, as spouses are financially independent pursuant to the provisions of the Islamic sharia, the husband is not entitled to the wealth or income of his wife. Accordingly, an amendment to the Financial Disclosure Act adopted pursuant to Legislative Decree No. 19 of 2016 limits financial disclosure to the persons covered by the provisions of the Act and their minor children and does not include their wives.

209. **Challenges and future measures: ensuring sustainable development**

- Continuous development of the work of the Family Reconciliation Office and investment in the family counselling offices that have been established in the social centres of the Ministry of Labour and Social Development with a view to providing family reconciliation services;
- Continuous monitoring and amendment of legislation designed to promote family stability.

G. National human rights institution

210. The Kingdom of Bahrain wishes to reaffirm that the National Human Rights Institution is fully independent and is not subject to the oversight of any other agency or institution. With regard to the Committee's observation, it should be noted that, with a view to introducing additional legal safeguards and ensuring the full independence of the National Human Rights Institution, Act No. 26 of 2014 establishing the National Human Rights Institution was adopted and entered into force following its publication in the Official Gazette. The Institution was also accorded greater authority and prerogatives in line with the Paris Principles relating to the status of national institutions for the promotion and protection of human rights. For more details, see the text of the above-mentioned Act in issue No. 3168 of the Official Gazette, dated 7 August 2014, and the website of the Commission on Legislation and Legal Opinions (www.legalaffairs.gov.bh). The Institution is tasked with monitoring cases involving human rights violations, conducting the necessary investigations, drawing the attention of the competent authorities thereto and submitting proposals for initiatives aimed at putting an end to such situations. It also receives, studies and investigates complaints concerning human rights, and refers them, where appropriate, to the competent authorities with a view to ensuring effective follow-up action. It may also inform the persons concerned of the necessary follow-up procedures and offer them support in that regard, or assist them in resolving the issue with the parties concerned.

VII. Conclusion

211. The fourth report of the Kingdom of Bahrain reflects the Kingdom's desire to fulfil its obligations under the Convention on the Elimination of All Forms of Discrimination against Women, and demonstrates its political will to support women's advancement, national economic and social mechanisms and programmes to assess progress, and numerous legislative measures, the results of which are reflected in the current situation of Bahraini women. There can be no doubt that the ongoing constructive dialogue with the Committee on the Elimination of All Forms of Discrimination against Women constitutes an important frame of reference for building on achievements and continuing to confront challenges.